

# Office of the City Clerk

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

## Legislation Details (With Text)

**File #**: SO2015-6429

Type: Ordinance Status: Passed

File created: 9/24/2015 In control: City Council

**Final action:** 6/22/2016

Title: Zoning Reclassification Map No. 2-E at 800 S Michgian Ave - App No. 18534

**Sponsors:** Misc. Transmittal

Indexes: Map No. 2-E

**Attachments:** 1. SO2015-6429.pdf, 2. O2015-6429.pdf

Date	Ver.	Action By	Action	Result
6/22/2016		City Council	Passed as Substitute	Pass
6/2/2016	1	Committee on Zoning, Landmarks and Building Standards	Recommended to Pass	
6/2/2016	1	Committee on Zoning, Landmarks and Building Standards	Substituted in Committee	Pass
11/17/2015	1	Committee on Zoning, Landmarks and Building Standards	Held in Committee	Pass
9/24/2015	1	City Council	Referred	

## FJNAI FO^ PMRi^A<

#### **ORDINANCE**

### BE I'r ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

SECTION I. That the Chicago Zoning Ordinance be amended by changing ai! ofthe DX-16 Downtown Mixed-Use District symbols and indications as shown on Map 2-E in the area bounded by:

East 8th Street; South Michigan Avenue; a line 160 feet south of and parallel lo East 8th Street; and a line 1 80 feel west of and parallel to South Michigan Avenue

to those of a Residentiai-Business Planned Development.

SECTION 2. This Ordinance shall be in force and effect from and after ils passage and publication.

Address:

800 South Michigan Avenue, Chicago, Illinois 60605

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# FINAL FOR PUBLICATION

### **ORDINANCE**

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

SECTION 1. That the Chicago Zoning Ordinance be amended by changing all ofthe DX-16 Downtown Mixed-Use District symbols and indications as shown on Map 2-E in the area bounded by:

East 8th Street; South Michigan Avenue; a line 160 feet south of and parallel to East 8th Street; and a line 180 feet west of and parallel to South Michigan Avenue

to those of a Residential-Business Planned Development.

SECTION 2. This Ordinance shall be in force and effect from and after its passage and publication.

Address: 800 South Michigan Avenue, Chicago, Illinois 60605

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The area delineated herein as Residential-Business Planned Development Number , ("Planned Development") consists of approximately 28,744 square feet of property which is depicted on the attached Planned Development Boundary and Property Line Map ("Property"). For purposes of this Planned Development, the Property consists of two subareas, delineated on the Sub-Area Map attached hereto, as Sub-area A and Sub-area B. Essex Hotel Owner, LLC is "Applicant" for this planned development, pursuant to authorization from the property owner.

The requirements, obligations and conditions contained within this Planned Development shall be binding upon the Applicant, its successors and assigns and, if different than the Applicant, the legal title holders and any ground lessors. All rights granted hereunder to the Applicant shall inure to the benefit of the Applicant's successors and assigns and, if different than the Applicant, the legal title holder and any ground lessors. Furthermore, pursuant to the requirements of Section 17-8-0400 of the Chicago Zoning Ordinance (the "Zoning Ordinance"), the Property, at the time of application for amendments, modifications or changes (administrative, legislative or otherwise) to this Planned Development, shall be under single ownership or designated control. Single designated control is defined in Section 17-8-0400 of the Zoning Ordinance.

All applicable official reviews, approvals or permits are required to be obtained by the Applicant or its successors, assignees or grantees. Any dedication or vacation of streets or alleys or grants of easements or any adjustment of the right-of-way shall require a separate submittal to the Chicago Department of Transportation ("CDOT") on behalf of the Applicant or its successors, assigns or grantees.

Any requests for grants of privilege, or any items encroaching on the public way, shall be in compliance with the Plans.

Ingress or egress shall be pursuant to the Plans and may be subject to the review and approval of the Department of Planning and Development ("DPD") and CDOT. Closure of all or any public street or alley during demolition or construction shall be subject to the review and approval of CDOT.

All work proposed in the public way must be designed and constructed in accordance with CDOT Standards for Work in the Public Way and in compliance with the Municipal Code of the City of Chicago. Prior to the issuance of any Part II approval, the submitted plans must be approved by CDOT.

Prior to the issuance of the final Certificate of Occupancy for the improvements proposed in Sub-Area B, the Applicant shall fund and CDOT shall install countdown pedestrian signals at the intersection of Michigan Avenue and 9<sup>th</sup> Street.

This Plan of Development consists of these 18 Statements; a Bulk Regulations and Data Table and the following exhibits and plans attached hereto prepared by Hartshorne Plunkard Architects and dated May 19, 2016 (the "Plans"): an Existing Zoning Map; an Existing Land Use Map; a Sub-Area Map; a Planned Development Boundary and Property Line Map; a Site/Landscape Plan; a Green Roof Plan; and Elevations (North, South, East and West). In any instance where a provision of this Planned Development conflicts with the Chicago Building Code, the Building Code shall control. This Planned Development conforms to the intent and purpose of the Zoning Ordinance, and all requirements thereof, and satisfies the established criteria for approval as a Planned Development. In

# FINAL FOR PUBLICATIO

case of a conflict between the terms of this Planned Development Ordinance and the Zoning Ordinance, this Planned Development Ordinance shall control.

5. In each of the following Sub-Areas, the following uses shall be permitted in this Planned Development:

Sub-Area A: Lodging; Bating and Drinking Establishments (all, including Taverns); Retail Sales; Communications Service Establishments; Urban Farm (Rooftop Operation only); Personal Service; Repair or Laundry Service, Consumer; Food and Beverage Retail Sales; Office; Financial Services, as permitted in the DX-16 District; Co-located Wireless Communication Facilities; related, incidental and accessory uses, including without limitation uses customarily found in conjunction with hotels and/or residential uses; and accessory parking.

Sub-Area B: Dwelling Units located above the ground floor; Lodging; Eating and Drinking

Establishments (all including Taverns); Retail Sales; Communications Service Establishments; Urban Farm (Rooftop Operation only); Personal Service; Repair or Laundry Service, Consumer; Food and Beverage Retail Sales; Office; Financial Services, as permitted in the DX-16 District; Co-located Wireless Communication Facilities; and related, incidental and accessory uses, including without limitation uses customarily found in conjunction with hotels and/or residential uses; and accessory parking.

- 6. On-Premise signs and temporary signs, such as construction and marketing signs, shall be permitted within the Planned Development, subject to the review and approval of DPD. Off-Premise signs are prohibited within the boundary of the Planned Development.
- 7. For purposes of height measurement, the definitions in the Zoning Ordinance shall apply. The height of any building shall also be subject to height limitations, if any, established by the Federal Aviation Administration.
- 8. The maximum permitted Floor Area Ratio ("FAR") for the Property shall be in accordance with the attached Bulk Regulations and Data Table. For the purposes of FAR calculations and measurements, the definitions in the Zoning Ordinance shall apply. The permitted FAR identified in the Bulk Regulations and Data Table has been determined using a Net Site Area of 28,744 square feet and a base FAR of 16.0. The improvements to be constructed on the Property will utilize the following series of FAR bonuses, all of which are hereby allocated to Sub-Area B:

16.00
4.00
1.02
0.46
0.06

Total FAR: 21.54

- 9. Upon review and determination, "Part II Review", pursuant to Section 17-13-0610 of the Zoning Ordinance, a Part II Review Fee shall be assessed by DPD. The fee, as determined by staff at the time, is final and binding on the Applicant and must be paid to the Department of Revenue prior to the issuance of any Part II approval.
- 10. The Site and Landscape Plans shall be in substantial conformance with the Landscape Ordinance and any other corresponding regulations and guidelines. Final landscape plan review and approval will be

## FINAL FOR PUBLICATION

by DPD. Any interim reviews associated with site plan review or Part II reviews, are conditional until final Part II approval.

- 11. The Applicant shall comply with Rules and Regulations for the Maintenance of Stockpiles promulgated by the Commissioners of the Departments of Streets and Sanitation, Fleet and Facility Management and Buildings, under Section 13-32-125 of the Municipal Code, or any other provision of that Code.
- 12. The terms and conditions of development under this Planned Development ordinance may be modified administratively, pursuant to section 17-13-0611-A of the Zoning Ordinance by the Zoning Administrator upon the application for such a modification by the Applicant, its successors and assigns and, if different than the Applicant, the legal title holders and any ground lessors.
- 13. The Applicant acknowledges that it is in the public interest to design, construct and maintain the project

in a manner which promotes, enables and maximizes universal access throughout the Property. Plans for all buildings and improvements on the Property shall be reviewed and approved by the Mayor's Office for People with Disabilities to ensure compliance with all applicable laws and regulations related to access for persons with disabilities and to promote the highest standard of accessibility.

- 14. The Applicant acknowledges that it is in the public interest to design, construct, renovate and maintain all buildings in a manner that provides healthier indoor environments, reduces operating costs and conserves energy and natural resources. In accordance with the Chicago Sustainability Policy, the Applicant shall seek LEED certification (or equivalent alternative certification, such as Energy Star) for the building to be constructed in Sub-Area B; exceed ASHRAE 90.1-2004 or seek LEED certification (or equivalent alternative certification, such as Energy Star) for the rehabilitation of the existing building in Sub-Area A, and provide a green roof covering 50% of the net roof areas of both Sub-Areas, which is currently estimated to be equivalent to 8,744 square feet. In addition, pursuant to Section 17-4-1015 of the Chicago Zoning Ordinance, this project is seeking to utilize the. Green Roof Bonus. The project will provide an additional 2,775 square feet of green roof, bringing the total green roof provided to approximately 66% of the net roof area.
- 15. The Applicant acknowledges and agrees that the rezoning of the Property from DX-16 Downtown Mixed Use District to this Planned Development triggers the requirements of Section 2-45-110 ofthe Municipal Code (the "Affordable Housing Ordinance" or "AHO"). Any developer of a "residential housing project" within the meaning of the Affordable Housing Ordinance ("Residential Project") must: (i) develop affordable housing units as part of the Residential Project; (ii) pay a fee in lieu of the development of affordable housing units; or (iii) any combination of (i) and (ii). The Applicant further acknowledges and agrees that the project has received an affordable housing floor area bonus pursuant to former Section 17-4-1004-B ofthe Zoning Ordinance, as set forth in the attached Bonus Worksheet, and as a result is also subject to the requirements of former Section 17-4-1004-D of the Zoning Code (the "Density Bonus Provisions"). Like the ARO, the Density Bonus Provisions require on-site affordable housing or payment of a fee in lieu of providing affordable housing, but the formulas for calculating the number of required affordable units and the amount of the in lieu payment are different from the formulas in the ARO. If a planned development is subject to both the 2007 ARO and the former Density Bonus

# FINAL FOR PUBLICATION

Provisions, the Applicant may elect to comply with either. In this case, the Applicant has elected to comply with the Density Bonus Provisions. In accordance with the formulas set forth in the former Section 17-4-1004-C and the Bonus Worksheet, the Applicant acknowledges and agrees that it must provide a minimum of 28,744 square feet of affordable housing floor area (the "Affordable Units") in the building receiving the affordable housing floor area bonus ("Eligible Building"), with an affordable unit mix comparable to the overall mix and approved by DPD's density bonus project manager, or make a cash payment in lieu of providing Affordable Units in the amount of \$2,023,577.60 ("Cash Payment"). Prior to the issuance of any building permits for the Eligible Building, including, without limitation, excavation or foundation permits, the Applicant must either make the required Cash Payment or, if providing Affordable Units, enter into an affordable housing agreement with the City pursuant to the former Section 17-4-1004-E9 ("Affordable Housing Agreement"). The terms of the Affordable Housing Agreement and any amendments thereto are incorporated herein by this reference. The Applicant

acknowledges and agrees that the Affordable Housing Agreement will be recorded against the Eligible Building. The City shall execute partial releases of the Affordable Housing Agreement prior to or at the time of the sale of each Affordable Unit to an income-eligible buyer at an affordable price, subject to the simultaneous execution and recording of a mortgage, restrictive covenant or similar instrument against such Affordable Unit. In addition to the Affordable Housing Agreement, the Applicant acknowledges and agrees that, pursuant to the former Section 17-4-1003-D3, the Bonus Worksheet will serve as an official record of bonuses and amenities. The Applicant must comply with the applicable affordable housing standards and requirements set forth in the former Section 17-4-1004, the terms of which are incorporated herein by this reference. Notwithstanding anything to the contrary contained in the former Section 17-4-1003-E, the Commissioner of DPD may enforce remedies for breach of the Affordable Housing Agreement, and enter into settlement agreements with respect to any such breach, subject to the approval of the Corporation Counsel, without amending the Planned Development.

If this Planned Development does not receive city council approval by July 13, 2016, the project will be subject to Section 2-45-115 of the Municipal Code (the "2015 ARO"). In such event, the Applicant shall meet with the Department of Planning and Development to determine the application of the 2015 ARO to the project, and the 2015 ARO requirements will replace and supersede the affordability requirements set forth in this Statement 15.

- 16. Pursuant to the Chicago Zoning Ordinance (Section 17-8-0911), Planned Developments are to give priority to the preservation and adaptive reuse of Chicago Landmark buildings. The Planned Development includes the Essex Inn, for which the Chicago Landmarks Commission has approved a preliminary landmark recommendation. Work to designated Chicago Landmarks is subject to the review and approval of the Commission on Chicago Landmarks pursuant to the Chicago Landmarks Ordinance, Section 2-120-740.
- 17. The Plans are hereby approved in their entirety and no further approvals shall be required under this Planned Development or the Zoning Ordinance for the improvements undertaken in accordance with the Plans, other than Part II Approval (per Section 17-13-0610 of the Zoning Ordinance). Applicant and DPD, at either party's request, may continue to evolve the design of the building elevations for the building to be located in Sub-Area B and
  - changes lo such elevations, if any, shall, if mutually agreed, be approved by DPD administratively as a Minor Change.
- 18. This Planned Development shall be governed by Section 17-13-0612 of the Zoning Ordinance. Should this Planned Development ordinance lapse, the Commissioner of DPD shall initiate a Zoning Map Amendment to rezone the property to the DX-16 Downtown Mixed-Use District.

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RESIDENTIAL-BUSINESS PLANNED DEVELOPMENT NO. BULK REGULATIONS AND DATA TABLE

Gross Site Area (sf): 47,017

Area of Public Rights-of-Way (sf): 18,273

Net Site Area (si):

Sub-Area A: 9,818.71

Sub-Area B: 18,925.29

Overall: 28,744

Maximum Floor Area Ratio (FAR):

Sub-Area A: 11.01

Sub-Area B: 27.00

Overall: 21.54

FAR Bonuses (over total net site area; bonus floor area allocated to Sub-Area

B)

Affordable Housing: 4.00

Concealed Above-Ground Parking: 1.02

Green Roof: 0.46

Upper Level Setbacks: 0.06

Maximum Number of Dwelling Units:

Sub-Area A: 0

Sub-Area B: 476

Maximum Number of Hotel Keys:

Sub-Area A: 290

Sub-Area B: 100

•Minimum Off-Street Parking Spaces:\*

Sub-Area A: 0

Sub-Area B:' 100

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FINAL FOR PUBLICATION

Minimum Bicycle Parking Spaces:

File #: SO2015-6429, Version: 1
Sub-Area A:
Sub-Area B:
Minimum Off-Street Loading
1 (10'x 25') exterior loading space
1 (10' x 25') exterior loading space
Sub-Area A:
Sub-Area B:
Minimum Setbacks:
In substantial conformance with the Plans
In substantial conformance with the Plans
*As contemplated by Section 17-10-0503 of the Zoning Ordinance, up to 45% of the number of parking spaces required for Sub-Area B as set forth on the Bulk Regulations and Data Table may be leased out on a daily, weekly or monthly basis to persons who are not residents, tenants, patrons, employees, or guests of the principal use, including without limitation uses within Sub-Area A. Notwithstanding the lease or use of such parking spaces by off-site users, for purposes of this Planned Development, all parking located within Sub-Area B shall be considered accessory parking.



CITY OF CHICAGO DEPARTMENT OF PLANNING AND DEVELOPMENT BUREAU OF ZONING AND LAND USE APPLICATION FOR ZONING BONUS REVIEW

### WORKSHEET: FAR BONUS CALCULATION

Property Address: 800 S Michigan, Chicago, IL 60605 Zoning District: DX-16

### **ON-SITE BONUSES**

Amenity	Amenity area (in sq ft.)	Lot area (in sq.ft.)	Premium Factor	Base FAR	FAR Bonus calculated
Formula:	(	/		(A/D) . C	
Affordable Housing -On-Site			4	(A/B) • C	<u>• D"</u>
Public Plaza and Pocket Park			1		
Chicago Riverwalk			1		
Winter Garden			1		
Through-Block Connection (Indoor).			0.66		
Through-Block Connection (Outdoor	r)		1		
Sidewalk Widening			2		
Arcade			1.25		
Water Feature			0.3		
Upper-Level Setbacks (-7 &-10 Districts)			0.3		
Upper-Level Setbacks (-12 & -16	4,200	28,744	0.4	16	0.06
Districts) Lower-Level Planting Terrace			1		
Green Roofs	2,775	28,744	03	16	0.46
Underground Parking (Levels -1 & -2)			0 15		
Underground Parking (Level -3 or lower)			0.2		
Underground Loading			0.15		
Parking Concealed by Occupiable Space FAR Bonus Cap compare with	4,590	28,744	0.4	16	1.02

1.00 (-5) 1.75 (-7) 2.50 (-10) 3.60 (-12) 4.80 (-16)

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25% of D

30% of D

30% of D

30% of D

25% of D

#### Total FAR Bonus On-Site Improvements

#### Notes

• FAR bonuses have been calculated using the formulae established for each bonus under Section 17-4-1000 of the Chicago Zoning Ordinance Rev. May. 2014 Page 1 of 2

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### **OFF-SITE BONUSES**

### **Calculation of Financial Contribution**

Formula. Cash contribution for 1 sq.ft of FAR bonus - 0 8 x median cost of 1 sq ft of buildable floor area							
Amenity	Bonused Square Feet Desired	Discount Factor	median cost of 1 sqft of buildable floor area (in \$): See City Survey of Land Cost	Base FAR	Financial Contribution		
Formula: Off-Site Park or Riverwalk	Α	0.8	С		D E=A*B*C		
Street Lighting and Landscaping		0.8					
Transit Station Improvements		0 8					
Pedwav Improvements		0.8					
Adopt-A-Landmark		0.8					
Affordable Housina	114.976	0.8	22	16	\$2,023,577.60		
Education		0.8					

Comparison to FAR Bonus Cap

Amenity	Feet Desired	Lot Area (in sq. ft.)	Base FAR	FAR Bonus calculate	dFAR Bonus Cap:
Formula: Off-Site Park or Riverwalk	<u>F</u>	<u>G</u>	<u>H</u>	<u>l = (F/G) / H</u>	Compare with 20% Of H
Street Lighting and Landscaping					20% Of H
Transit Station Improvements					20% of H
Pedwav Improvements					20% of H
Adopt-A-Landmark					20% of H
Affordable Housing	114,976	28,744	16	4 00= 25% of Base	20% of H (-5) 25% of H (-7,
Education				FAR	-10) 25% Of H (-12, -16) 25% of H (-10) 30% of H (- 1216)

If FAR Bonus calculated exceeds FAR Bonus Cap, the effective FAR Bonus for Off-Site Improvements is equal to the FAR Bonus Cap

### **Summary**

File #: SO2015-6429, Version: 1				
Base FAR	16			
FAR Bonus for On-Site Improvements	1.54			
FAR Bonus for Off-Site Improvements	4.00			
Total FAR	5.54			
Total Financial Contribution				
Maximum Floor Area with Base FAR	459,904			
Floor Area with FAR Bonus On-Site Improvements	44,265.76			
Floor Area with FAR Bonus Off-Site Improvements	114,976			
Total Maximum Floor Area 619,145.76				

5/11/16

### Signature of Applicant

Rev. May 2014

Date Received by (Dept. of Planning & Dev.)

Page 2 of 2

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### 2007 Affordable Housing Profile Form (Rental)

Submit this form to the Department of Planning & Development (DPD) for projects that are subject to the 2007 ARO. Projects submitted after October 13, 2015 - or that do not receive City Council approval by July 13, 2016 - will be subject to the 2015 ARO. More information is online at www.citvofchicaqo.orq/ARO <a href="http://www.citvofchicaqo.org/ARO">http://www.citvofchicaqo.org/ARO</a>.

This completed form should be returned to: Kara Breems, DPD, 121 N. LaSalle Street, Chicago, IL 60602. E-mail: kara.breems@cityofchicago.org <mailto:kara.breems@cityofchicago.org> Telephone: (312) 744-6476

Date: May 9, 2016

SECTION 1: DEVELOPMENT INFORMATION Development Name: 800 South Michigan Avenue Development Address. 800 South Michigan

Avenue Ward: 4th

If you are working with a Planner at the City, what is his/her name? Dan Klaiber

Type of City involvement: | [ City Land

(check all that apply) i-i Financial Assistance (If receiving tif assistance, win tif funds be

I | used for housing construction? | J") \*if yes, please provide copy

of the TIF Eligible Expenses I 1

|X I Zoning increase and/or PD

### **SECTION 2: DEVELOPER INFORMATION**

Developer Name: Essex Hotel Owner, LLC Developer Contact (Project Coordinator): John Rutledge Developer Address: 350 West Hubbard, Suite 440 Email address: jwr@oxford-capifal.com <mailto:jwr@oxford-capifal.com>Telephone Number: (312) 755-9500

### **SECTION 3: DEVELOPMENT INFORMATION**

a) Affordable units required

For ARO projects: x = 10% = (always round up)

Total units total affordable units required

File #: SO2015-6429, Version: 1					
*20% if TIF assistance is p	rovided				
<i>For Density Bonus proje</i> Bor	cts:^? ^ j 7-6 X 25% = 1 nus Square Footage* Af	<u>∼3lLj£f</u> fordable sq	. footage re	quired	
*Note that the maximum base FAR in dash-12 zoning info).					
b) building details					
In addition to water, which of the formula and the cooking gas electric affordable units? yes no market-If parking is not included, what is the cooking the cooking gas.	O □ gas heat electric hea rate units? yes no	t □ etheri	·	e applicable):	rent for the:
Estimated date for the commence	ment of marketing:				
Estimated date for completion of  For each unit configuration, fill ou  Unit Type* Number of Units  ':^!bath':^;			example). Proposed Affordable Rent*	Proposed Level of Affordability (60% or less of AMI)	Unit Mix OK to proceed?
Affordable Units					
Market Rale Units			N/A	N/A	
			N/A	N/A	
"Rent amounts updated annually in the "Cit	u of Chicagola Mavimum Affand	lahla Manthiy	N/A	N/A	
SECTION 4: PAYMENT IN LIEU		lable Monthly	Rent Chart		
When do you expect to make the (typically corresponds wit	payment -in-lieu?	ermits)	Mon	th/Year j <sub>u</sub>  y	2016

For ARO projects, use the following formula to calculate payment owed:

X10% = X \$100,000 = \$

(round up to nearest whole number) Number of total units Amount owed in development

For Density Bonus projects, use the following formula to calculate payment owed:

of

114.976 x 80% x \$ 22

**= \$\$2.023.577.60** 

Bonus Floor Area (sq ft) median price per base FAR foot Amount owed

(from table below)

Submarket (Table for use with the Density Bonus fees-in-lieu calculations) Median Land Price per

Base FAR Foot

Loop: Chicago River on north/west; Congress on south; Lake Shore Dr on east \$31

North: Division on north; Chicago River on south/west; Lake Shore Dr. on east \$43

South: Congress on north; Stevenson on south; Chicago River on west; Lake Shore Dr. \$22

on east

West: Lake on north; Congress on south; Chicago River on east; Racine on west \$29

#### Authorization to Proceed (to be completed by Developer & DPD)

Kara Breems, DPD ~' Date

5/11/16

Developer/Project Manager Date

APPLICANT: ESSEX HOTEL OWNER, LLC EXISTING ZONING MAP

ADDRESS OF PROJECT: 800 SOUTH MICHIGAN AVENUE,

CHICAGO, IL

INTRODUCTION DATE: SEPTEMBER 24, 2015 SCALE: NTS

PLAN COMMISION DATE: MAY 19, 2016

**LEGE** 

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SUBJECT PRI COMMERCIAI

R RESIDENTIAL E EDUCATIONA

APPLICANT: ESSEX HOTEL OWNER, LLC EXISTING LAND USE MAP

ADDRESS OF PROJECT: 800 SOUTH MICHIGAN AVENUE,

CHICAGO, IL

INTRODUCTION DATE: SEPTEMBER 24, 2015 SCALE: NTS

PLAN COMMISION DATE: MAY 19,2016

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24565' PD BOUNDARY

I-fKTErtrr CORCR

193.44' PP BOUNDARY

8MTTIICHIEHN" (iciiij nam tuumu uiit sntM<(Lin.D TQIf (TH0V1KD HI TOMS

<u>1933T PP</u> BOJNDARY

rwanr concn

245.1T PD BOUNDARY < story bimdwc

KEY AREA SUMMARY I\I

PD BOUNDARY - ■ ■ GROSS PD SITE AREA = 47,017 S.F.

NET SITE AREA= 28.744S.F.
murtn 1 Y Lllvt PUBLIC RIGHT-OF-WAY 18,273 S.F.

AREA =

APPLICANT: ESSEX HOTEL OWNER, LLC PLANNED DEVELOPMENT

BOUNDARY AND PROPERTY LINE MAP SCALE: 1" = 40'-U"

ADDRESS OF PROJECT: 800 SOUTH MICHIGAN AVENUE,

CHICAGO, IL

INTRODUCTION DATE: SEPTEMBER 24, 2015

PLAN COMMISION DATE: MAY 19, 2016

TjtSIWTEiJ"

APPLICANT: ESSEX HOTEL OWNER, LLC

ADDRESS OF PROJECT: 800 SOUTH MICHIGAN AVENUE,

CHICAGO, IL

INTRODUCTION DATE: SEPTEMBER 24, 2015

PLAN COMMISION DATE: MAY 19, 2016

SUB AREA MAP

SCALE: 1" = 41T-0"

Countdown Pedestrian Timer to provided at the intersection of 9th Street and Michigan Avenue as part of this project.

APPLICANT: ESSEX HOTEL OWNER, LLC

SITE/LANDSCAP E PLAN

ADDRESS OF PROJECT: 800 SOUTH MICHIGAN AVENUE,

CHICAGO, IL

INTRODUCTION DATE: SEPTEMBER 24, 2015

PLAN COMMISION DATE: MAY 19, 2016

UPPER ROOF -I GREEN ROOF V ELEV. OVERRUN GREEN ROOF 8TH FLOOR -• GREEN ROOF i- LOWER ROOF GREEN ROOF

File #: SO2015-6429, Version:	1
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rMO'-o-

70'-<Z>" A0'-<Z>"

APPLICANT: ESSEX HOTEL OWNER, LLC

HOTEL & FLOORS 3.4,8,55 & 56 GREEN ROOF PLAN

ADDRESS OF PROJECT: 800 SOUTH MICHIGAN AVENUE,

CHICAGO, IL

INTRODUCTION DATE: SEPTEMBER 24, 2015

PLAN COMMISION DATE: MAY 19, 2016

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**GREEN ROOF AREA ANALYSIS** 

TOTAL GREEN ROOF AREAS: 3 rd FLOOR

TOTAL:

4<sup>th</sup> FLOOR TOTAL:

8<sup>th</sup> FLOOR

TOTAL:

**LOWER ROOF** 

TOTAL:

**UPPER ROOF** 

TOTAL:

### **T/ ELEVATOR OVERRUN**

TOTAL: 234 sf

3<sup>rd</sup> FLOOR

4<sup>th</sup> FLOOR 1,288 sf 8<sup>th</sup> FLOOR 4,825 sf

LOWER ROOF 4,579 sf

UPPER ROOF 1,833 sf

T/ ELEVATOR OVERRUN 583 sf

EXISTING HOTEL 4,205 sf

TOTAL: 17,547 sf

50% OF NET ROOF AREA:

17,547 sf/2 = 8,774 sf

**TOTAL GREEN ROOF** 

(floors 3, 4, 8, 56-57) : 11,549 sf

(approx. 66% of net roof area)

**EXISTING HOTEL** 

TOTAL:

**TOTAL GREEN ROOF AREAS:** 

174 sf

1,026 sf

872 sf

2,236 2,453 sf

583 sf

4,205 sf,

11,549 sf

TOTAL:

sf

APPLICANT: ESSEX HOTEL OWNER, LLC

GREEN ROOF AREA
ANALYSIS

ADDRESS OF PROJECT: 800 SOUTH MICHIGAN AVENUE,

CHICAGO, IL

INTRODUCTION DATE: SEPTEMBER 24, 2015

PLAN COMMISION DATE: MAY 19, 2016

## FINAL FOR PUBLICAT'QM

### **MATERIAL KEY**

7jLAS5 SKANUKII. I-'ANEL - SOLIXIA SPANDREL PAINT <TH SURFACE. <0% FRFT ON 2ND SURFACE SIASISPASDREI. P.ANSa-SCIEXIA SPANOREL PAINT <ITH SURFACE. 70% FRIT ON 2ND SURFACE. SURFACE.

UNFED LOWE VISION GLASS - SOLEXIA SOLARBAN 70

# LU

GLASS AND METAL CANOPY STRUCTURAL GLASS CURTAIN WALL - CLEAR LOW-IRON GLASS

STRUCTURAL SUPPORT BEHIND CURTAIN WALL . PAINTS!)
STRUCTURAL GLASS CURTAIN WALL - CLEAR LOW-IRON GLASS SOIFRIT

LU

3

STRUCTURAL GLASS CURTAIN WALL - CLEAR LOW-IRON GLASS 70'KFRJr

10

EXPOSED STRUCTURAL SUPPORT WITH METAL FINISH COVER

LOW-IRON CANTILEVERS) GLASS HANDRAIL

3

CLEAR LOW-E VISION GLASS CURTAIN WALL • SOLARBAN 70 «KI FRIT

GLASS SPANDREL PANEL - PAINT ON 4TH SURFACE 70% FRIT ON 2ND SURFACE CLEAR LOK' E VISION GLASS CURTAIN WALL -SOLARBAN 70 <0% rWT

14 METAL FINISH FIN
CLEAR LOWE VISION GLASS CURTAIN WALL -SOLARBAN 7D. 40% FRIT
CLEAR LOW-E VISION GLASS CURTAIN WALL 
SOLARBAN 70. «OH FRIT

15 16

GLASS SPANDREL PANEL ■ PAINT ON 4TH SURFACE. 10% FRIT ON 2ND SURFACE

19

20 21

18 j METAL FINISH CHANNEL

CAST IN PLACE CONCRETE

NOT USED 22 ! OVEI

> EXHAUST VENT OVERHEAD GARAGE DOOR

> > 23 | SERVICE ENTRY

24 | CONCRETE BLOCK

25 VERTICAL APPLIED BULLIONS

**CONCEALED PARKING CALCULATIONS FLOORS 2-6**  $50'-0"(h) \times 9V-10"(w) = 4,591.73 \text{ sf}$ 4,592sf

### APPLICANT:

**ESSEX HOTEL OWNER, LLC** 

ADDRESS OF PROJECT: 800 SOUTH MICHIGAN AVENUE, CHICAGO, IL INTRODUCTION

DATE: SEPTEMBER 24, 2015

PLAN COMMISION DATE: MAY 19, 2016

# FINAL **PUBLICATIO**

STRUCTURAL SUPPORT BEHIND CURTAIN WALL-PAINTED STRUCTURAL GLASS CURTAIN WALL - CLEAR LOW-IRON GLASS STRUCTURAL GLASS CURTAIN WALL - CLEAR LOW-IRON GLASS 40% FRIT

i STRUCTURAL GLASS CURTAIN WALL - CLEAR i LOW-IRON GLASS 70% FRIT'

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I EXPOSED STRUCTURAL SUPPORT WITH METAL

11

LOW-IRON CANTILEVERED GLASS HANDRAIL

• CLEAR LOW-E VISION GLASS CURTAIN WALL -I SOLARBAN 70.40% FRIT



GLASS SPANDREL PANEL - PAINT ON 4TH || SURFACE 70'« FRTT ON 2ND SURFACE

|| CLEAR LOW-E VISION GLASS CURTAIN WALL-SOLARBAN 70 40% TRIT

14 METAL FINISH FIN

16

CLEAR LOW-E VISION GLASS CURTAIN WALL SOLARBAN 70 iO'il FRIT

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I CLEAR LOW-E VISION GLASS CURTAIN WALL -| SOLARBAN 70.40% FRTT



| GLASS SPANDREL PANEL • PAINT ON 4TH [j SURFACE. 70\*. FRIT ON 2ND SURFACE 19 CAST IN PLACE CONCRETE 20 |! NOT USED EXHAUST VENT 22 | OVERHEAD GARAGE DOOR 23 li SERVICE ENTRY CONCRETE BLOCK VERTICAL APPLIED MILLIONS OR^ -0"

18 | METAL FINISH CHANNEL

### **APPLICANT:**

**ESSEX HOTEL OWNER, LLC** 

ADDRESS OF PROJECT: 800 SOUTH MICHIGAN AVENUE, CHICAGO, IL

INTRODUCTION DATE: SEPTEMBER 24, 2015

PLAN COMMISION DATE: MAY 19, 2016

FINAL FOR. PUBLICATION

EL: +620'-0" 57TH FLOOR J EL: +586'-8"

, 8TH FLOOR

^EL:+81'-1"

7TH FLOOR EL: +64'-0"

MATERIAL KEY

EXHAUST VENT SERVICE ENTRY

### APPLICANT:

ESSEX HOTEL OWNER, LLC

ADDRESS OF PROJECT: 800 SOUTH MICHIGAN AVENUE, CHICAGO, IL

INTRODUCTION DATE: SEPTEMBER 24, 2015

PLAN COMMISION DATE: MAY 19, 2016

#### MATERIAL KEY

""li GLASS SPANDREL PANEL - SOLEXIA SPJSriREL <u>j PAINT 4TH SURFACE. 40% FRIT ON 2ND</u>

LASS SPANDREL PANEL SOLEXIA SPANDREL

lh

 $2 \hspace{0.1in}$  || PAINT 4TH SURFACE. 70% FRIT ON 2ND SURFACE

UNI fcD LOW fc VISION GLASS ■ SOLEXIA II SOLARBAN 70

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GLASS AMD METAL CANOPY

STRUCTURAL SUPPORT BEHIND CURTAIN |i WALL-PAINTED

STRUCTURAL GLASS CURTAIN WALL • CLEAR LOW-IRON GLASS

STRUCTURAL GLASS CURTAIN WALL • CLEAR LOW-IRON GLASS. 40% FRIT

STRUCTURAL GLASS CURTAIN WALL - CLEAR LOW-IRON GLASS 70% FRIT

10

EXPOSED STRUCTURAL SUPPORT WITH METAL FINISH COVER

11

LOW-IRON CANTILEVERED GLASS HANDRAIL

CLEAR LOW-E VISION GLASS CURTAIN WALL ■ SOLARBAN 70 40% FRIT

14 | METAL FINISH FIN

4j GLASS SPANDREL PANEL - PAINT OI4 4TH I SURFACE 70% FRIT ON 2ND SURFACE

II CLEAR LOW-E VISION GLASS CURTAIN WALL • SOLARBAN 70 40% FRIT « I CLEAR LOW-E VISION GLASS CURTAIN WALL -10 | SOLARBAN 70.40% FRTT

16

]j CLEAR LOW-E VISION GLASS CURTAIN WALL-| SOLARBAN 70.40% FRTT

03

GLASS SPANDREL PANEL - PAINT ON 4TH SURFACE. 70% FRIT ON 2ND SURFACE

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METAL FINISH CHANNEL
19 ji CAST IN
PLACE CONCRETE
20 ! NOT USED
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OVERHEAD GARAGE DOOR
23 'SERVICE ENTRY

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24 |I CONCRETE BLOCK | 25 jj VERTICAL APPLIED MULUONS

APPLICANT: ESSEX HOTEL OWNER, LLC WEST ELEVATION

ADDRESS OF PROJECT: 800 SOUTH MICHIGAN AVENUE,

CHICAGO, IL

INTRODUCTION DATE: SEPTEMBER 24, 2015 SCALE: 1/64"= VO"

PLAN COMMISION DATE: MAY 19, 2016

Department of Planning and Development city of chicago

MEMORANDUM

TO: Alderman Daniel S. Solis

Chairman, City Council Committee on Zoning

FROM:

David L Secretary

Chicago Plan Commission DATE: May 20,

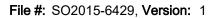
2016

RE: Proposed Planned Development for property generally located at 800 South Michigan Avenue.

On May 19, 2016, the Chicago Plan Commission recommended approval of the proposed planned development submitted by Essex Hotel Owner, LLC. A copy of the proposed planned development is attached. I would very much appreciate your assistance in having this introduced at the next possible City Council Committee on Zoning hearing.

Also enclosed is a copy of the staff report to the Plan Commission which includes the Department of

File #	File #: SO2015-6429, Version: 1				
Res	Planning and Development, bureau of Planning and Zoning recommendation and a copy of the Resolution. If you have any questions in this regard, please do not hesitate to contact me at 744-5777.				
cc:	Steve Valenziano PD Master File (Original PD, copy of memo)				
	121 NORTH LASALLE STREET, ROOM 1000, CHICAGO, ILLINOIS G0G02				
	Chicago Plan Commission  May 19, 2016				
	5/19/2016				
i	GOO S. Michigan A*e 5/19/2016				



r

PD BOUNDARY MAP

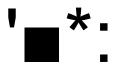
800 S Michigan Ave

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; EXISTING SITC PLAN j^jgj

800 S. Mrci\_i PROPOSHD SITE PLAN SITE PLANS ^Tj

5/19/201

BOOS Michigan Ave.

# msmmm

0 S Michigan Ave.

# msmmm

800 S Michigan Ave.

9™ -11™ FLOOR

12™-14™ FLOOR

5/19/2016

**FINAL** 

### Department of Planning and Development city of chicago

# 800 SOUTH MICHIGAN AVENUE LAKE MICHIGAN AND CHICAGO LAKEFRONT PROTECTION ORDINANCE APPLICATION No. 680

### RESOLUTION

- WHEREAS, The Applicant, Essex Hotel Owner, LLC, proposes to establish a Residential Business Planned Development located at 800 South Michigan Avenue in order to construct a 620' mixed use building with 476 dwelling units, 100 hotel keys, ground floor commercial space and accessory parking while rehabbing an existing 160' foot building to include 290 hotel keys; the site is located within the Private Use Zone of the Lake Michigan and Chicago Lakefront Protection District; and,
- WHEREAS, an application for Lake Michigan and Chicago Lakefront Protection Ordinance approval was filed with the Department of Planning and Development on September 18, 2015; and,
- WHEREAS, proper legal notice of a hearing before the Chicago Plan Commission on the Lake Michigan and Chicago Lakefront Protection Ordinance application was published in the Chicago Sun-Times on May 4, 2016; the Applicant was separately notified of this hearing; and the Lake Michigan and Chicago Lakefront Protection Ordinance application was considered at a public hearing by this Plan Commission on May 19, 2016; and,
- WHEREAS, this Plan Commission has reviewed the application with respect to the Lake Michigan and Chicago Lakefront Protection Ordinance and finds that the proposal would be consistent with the Purposes of that Ordinance and the Policies of the Lakefront Plan of Chicago; and,
- WHEREAS, the Department of Planning and Development recommends approval ofthe application, which recommendation and the explanation thereof is contained in the Department's written report dated May 19, 2016, a copy of which is attached hereto and made a part hereof; and,
- WHEREAS, this Plan Commission has fully reviewed the application and all informational submissions associated with the proposed development, the report and recommendation of the Commissioner of the Department of Planning and

121 NORTH LASALLE STREET, ROOM 1000, CHICAGO, ILLINOIS 60602

#### FINAL

Development and all other testimony presented at the public hearing heid May 19, 2016, giving consideration to the Lake Michigan and Chicago Lakefront Protection Ordinance:

### NOW, THEREFORE, BE IT RESOLVED BY THE CHICAGO PLAN COMMISSION:

- 1. THAT the above-stated recitals to this resolution together with the report of the Commissioner of the Department of Planning and Development be adopted as the findings of fact of the Chicago Plan Commission regarding this application; and,
- 2. THAT the final application dated May 19, 2016, be approved as being in conformance with the provisions of the Lake Michigan and Chicago Lakefront
  - Protection Ordinance.

Lakefront Application No. May 19, 2016

680

Approved:

121 NORTH LASALLE STREET, ROOM 1000, CHICAGO, ILLINOIS 60602

RECEIVED

**MAY 19 im** 

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**APPLICATION NUMBER** 

<u>680</u>

#### AMENDED CITY OF CHICAGO

AN APPLICATION TO THE CHICAGO PLAN COMMISSION UNDER THE LAKE MICHIGAN AND CHICAGO LAKEFRONT PROTECTION ORDINANCE

(This Application Musl Be Typewritten)

The Chicago Plan Commission has provided this Application Form in accordance with Section 194B-6.1 (a) of the Lake Michigan and Chicago Lakefront Protection Ordinance. The Conditions under which the provisions of this Ordinance are applicable are stated in Section 194B-5.1 of the Ordinance. The process of Plan Commission review and public hearing on each proposal within the Lake Michigan and Chicago Lakefront Protection District will commence with the Applicant's submission to the Chicago Plan Commission of a completed Application Form and the required proof of notice. Strict compliance with Section 194B-6.1(c) is required.

The staff of the Department of Planning is available to provide technical assistance to the Applicant, before preparation of his application, during the processing stages, and to review the application at submission to the Chicago Plan Commission. Copies of the Ordinance and this Application Form and examples of forms for both notification and proof of notice, are available from the Commissioner of Planning, in Room 1003, Lakefront Unit, City Hall, 121 N. LaSalle Street, Chicago, Illinois 60602. Phone 744-6551.

This Application Form consists of Five Parts on 17 pages:

Part One: General Information
Part Two: Character of Proposal
Part Three: Zoning Information

Part Four: Potential Impact of Proposal (2 Sections)

Part Five: Disclosure Forms (6 Sections)

A copy of this Application will be available for public inspection in the office of the Commissioner of Planning, Room 1000, five days prior to the elate of which the public hearing on this Application before the Chicago Plan Commission is to commence.

Date of receipt in DP.

Date of Applicant Notice To taxpayers of record

Date set for public hearing:

Date on which Plan Commission

published newspaper notice:

-SECTION BELOW FOR OFFICE USE ONLY-Z13A action necessary?

\_yes \_ Status

\_\_\_\_\_

Disclosure necessary?

Simultaneous Planned Development

processing yes no

Previous Application this address9

yes no; number

Date of publication of report of Commissioner of DP:

Date forwarded to D1S

DPW\_Olher

.yes.

Zoning map amendment9

DISPOSITION

Approved

Disapproved

Continued

Date Applicant notified of decision

Address: 800 South Michigan Avenue, Chicago, Illinois 60605

#### GUIDELINES FOR COMPLETING PART ONE OF THE APPLICATION

Part One of this Application provides general information to the Plan Commission for use in preparing its public notices of the proposal set forth in the Application and in preparing ils review of that proposal.

- 1. The date entered in I. should be the date on which the Application is filed.
- 2. The location of the site ofthe proposal should be given by street address; if there is no address, the location must be described in relation to existing streets, rights-of-way or other fixed points of reference.
- 3. The Applicant must state his own name, address and telephone number and the name, address and telephone number of the owner of the subject property. The Applicant must be either the owner of the subject property or his duly authorized agent or representative, and, if the Applicant is an agent or representative, the Applicant must submit proof to the Commission that he is authorized to represent the owner of the subject property.
  - Whenever the ownership of the subject property is complex a partnership, corporation, land trust or association the Applicant shall so indicate. Further, the Commission may require disclosure of all real parties of interest in the subject property.
- 4. The description of a proposal should include, at a minimum, types of land uses and space uses, floor area, number of dwelling units and height of proposed structures in feet or stories. Additional concise information may also be included.
- 5. Under the provisions of Section 194B-6.1(c) of the Lake Michigan and Chicago Lakefront Protection Ordinance, the Applicant must submit to the Commission at the time of filing an Application a list of the names and last known addresses of the owners of all property on which notice must be served, the method of service employed, the names and addresses of persons so served, and a statement certifying that the Applicant has complied with the noticing provisions of Section 194B-6.1(c) of the Lake Michigan and Chicago lakefront Protection Ordinance. The Commission will not accept an application unless and until the Applicant furnishes the required list and certificate.
- 6. If there are any other approvals required from other public agencies before the Applicant can proceed with his proposal, they should be listed; except that other City of Chicago licenses and permits may be omitted as items requiring listing herein. If no other approvals are required, enter "NONE" under VI A. Examples of items which should be listed include approval of FHA financing, a U.S. Corps of Engineers permit, Federal Aviation Authority Approval, among others.

Address: 800 South Michigan Avenue, Chicago, Illinois 60605

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### PART ONE: GENERAL INFORMATION

I. Date of Application: September 17. 2015
Address or location of the Site of the Proposal: 800 South Michigan Avenue. Chicago, Illinois 60605

- II. Information on the Applicant and the Owner
  - A. Applicant
    - 1. Name: Essex Hotel Owner. LLC Phone: (312) 755-9500
    - 2. Address: 350 West Hubbard Street. Suite 440 Chicago. IL 60654
  - B. Owner
    - 1. Name: Storm Investments, L.P. Phone: 874-426-8699
    - 2. Address: 10 South Liberty Drive, South Barrington, Illinois
  - C. If the Applicant is not the owner, check here X that proof has been attached to this Application that the Applicant is the duly authorized agent or representative of the owner.
  - D. If the ownership of the subject property is complex, the Applicant shall indicate the type of ownership:
    - 1. Land Trust
- 2. X Partnership or Association
- 3. Corporation
- 4. Units of Local Government
- III. Brief Description of the Proposal: See Part Two, Figure 6 for project narrative.
- IV. The noticing provisions of Section 16-4-100 have been completed as they apply to the
- IV. Applicant: Check here X
- V. The Applicant must also obtain the following approvals in addition to the approval of the Plan Commission:
  - A. Nature of Approval: Planned Development

Agency: Department of Planning and Development

B. Nature of Approval: Landmarks Commission Approval

Agency: Department of Planning and Development

C. Nature of Approval:

Agency:

Address: 800 South Michigan Avenue, Chicago, Illinois 60605

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### GUIDELINES FOR COMPLETING PART TWO OF THE APPLICATION

All graphic materials must be submitted in an '8.5" x 11" format and must be suitable for clear and sharp, black and white reproduction. Each map or diagram should have a scale and a north arrow. Each sheet of graphic material must be labeled with the appropriate figure number. If there are multiple sheets comprising one figure - for example figure 4 - those sheets should be labeled consecutively, for example Figure 4-1, Figure 4-2, etc., and each sheet should contain the address of the site of the proposal in the lower left corner.

For Figure 1, the Applicant should consider the "vicinity of the site" to be al least as extensive as the area for which he is required to give notice plus any intervening streets or other public rights-of-way.

For Figures 3 and 4, the Applicant should consider that "recreation areas" and "recreation space and facilities" include game courts, swimming pools and pool areas, game rooms, exercise rooms, party rooms, community rooms, observation decks and sun decks.

The required narrative statement should describe the features of the proposed development, including size and mix of dwelling units, mix of uses on the site, etc. It should present a basic rationale for the development.

For Figure 6, the Applicant is urged to provide any materials at 8.5" x 11" which will facilitate the review of his Application.

Address: 800 South Michigan Avenue, Chicago, Illinois 60605

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PART TWO: CHARACTER OF THE PROPOSAL

This portion of the Application must be completed by attaching the following items, correctly sized and labeled, to the Application:

- I. Figure 1: A Map ofthe Vicinity of the Site, showing Lake Michigan, lakefront parks, preferential streets, schools, parks, major institutions. All streets on this map should be named, and the outline and height on all structures on properties immediately adjacent to the site of the proposal must be shown.
- II. Figure 2: A Map of the Existing Site, showing locations and dimensions of lot lines; contour intervals (5-foot); existing structures, walkways, driveways, special features.
- III. Figure 3: The Proposed Site Plan, showing locations and dimensions of proposed structures, driveways and walkways; proposed exterior parking areas; proposed exterior open space and recreation areas.
- IV. Figure 4: Proposed Floor Plans, including the ground floor, a typical floor, and floor with recreation space or facilities.
- V. Figure 5: An Elevation or Cross-section, showing the height and number of stories for all proposed structures.
- VI. Figure 6: Narrative: A Statement Describing the Proposed Development.

In addition, the Applicant is encouraged to provide additional graphic materials, visual aids; e.g., photographs, renderings, data tables, among others. Any such exhibits shall be labeled Figure 6.

Address: 800 South Michigan Avenue, Chicago. Illinois 60605

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ZONING INFORMATION

The Applicant shall provide the basic data on zoning considerations for the site of the proposal. Calculations may be shown below on this page and on page 8.

I.	•	nned development ordi abject site?	nance or an amendment lo an e	xisting planned develo	opment required or permitted for
	X	Required	permitted	no	
	_	-			licant chooses lo seek a planned

development amendment, the Applicant is not required to complete the remainder of Pari Three of this Application Form.

Address: 800 South Michigan Avenue, Chicago, Illinois 60605

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File #: SO2015-6429, Version: 1

Is Zoning Board of Appeals approval a variation or a special use either necessary or 11. contemplated in relation to the Applicant's proposal? yes no.

If "yes," please explain the nature of the approval.

File #: SO2015-6429, Version: 1							

III. Net Site Area and Existing Zoning District Classification (list lhat portion of the net site area in each):

# <u>District Classification Area</u>

A.	sq. ft.
B.	sq. ft.
C.	sq. ft.
D. Total Net Site Area:	sq. ft.

## IV. Dwelling Units

- A. Maximum units allowed
  - 1. Without efficiency units:
  - 2. With maximum percent of efficiency units:
- B. Proposed number of units
  - 1. Dwelling units:
  - 2. Efficiency Units:
  - 3. Total Units:
- C. Does the Applicant intend lo increase allowable floor area by reducing the number of units constructed below the maximum allowed?

yes no.

If "yes" there will be units fewer than the maximum allowed, and the Floor Area Ratio for the site will be increased by

Address: 800 South Michigan Avenue, Chicago. Illinois 60605

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- V. Bulk
  - A. Base Floor Area Ratio (F.A.R.), without bonuses:
  - B. Proposed F. A.R., include all bonuses:
  - C. List all bonuses used in computing B., above:
    - 1.

2.

3.

D. Proposed Floor Area:

sq. ft.

E. Percentage of floor area devoted to interior recreation space, meeting rooms, etc.:

E. %.

VI. Off-street Parking and Loading

## Minimum Proposed

- A. Parking Spaces
- B. Loading Docks
- VII. Setbacks

Address: 800 South Michigan Avenue, Chicago, Illinois 60605

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PART FOUR:

POTENTIAL IMPACT OF THE PROPOSAL

The Chicago Plan Commission requires that the Applicant address the Fourteen Basic Policies of the Lakefront Plan Of Chicago and the Thirteen Purposes of the Lake Michigan and Chicago Lakefront Protection Ordinance, as listed below, in a written statement to the Commission attached to this Application Form and labeled Part Four. The statement should indicate which policies or purposes are or are not

applicable to the Applicant's proposal, and, for those policies and purposes which are applicable, the statements should discuss the potential impact of the proposal.

#### 1. Fourteen Basic Policies

- Complete the publicly owned and locally controlled park system along the entire Chicago lakefront.
- 2. Maintain and enhance the predominantly landscaped, spacious and continuous character of the lake shore parks.
- 3. Continue to improve the water quality and ecological balance of Lake Michigan.
- 4. Preserve the cultural, historical, and recreational heritage of the lakeshore parks.
- 5. Maintain and improve the formal character and open water vista of Grant Park with no new above-ground structures permitted.
- 6. Increase the diversity of recreational opportunities while emphasizing the lake-oriented leisure time activities.
- 7. Protect and develop natural lakeshore park and water areas for wildlife habitation.
- 8.- Increase personal safety.
- 9. Design all lake edge and lake construction to prevent detrimental shoreline erosion.
- 10. Ensure a harmonious relationship between the lakeshore parks and the community edge, but in no instance will further private development be permitted East of Lake Shore Drive.
- 11. Improve access to the lakeshore parks and reduce through vehicular traffic on secondary park roads.
- 12. Strengthen the parkway characteristics of Lake Shore Drive and prohibit and roadway of expressway standards.
- 13. Ensure that all port, water supply, and public facilities are designed to enhance lakefront character.
- 14. Coordinate all public and piivate development within the water, park, and community zones.

Address: 800 South Michigan Avenue. Chicago. Illinois 60605

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PART FOUR: POTENTIAL IMPACT OF THE PROPOSAL

#### II. Thirteen Purposes

- 1. To promote and protect the health, safety, comfort, convenience, and the general welfare of the people, and to conscive our natural resources;
- 2. To identify and establish the Lake Michigan and Chicago Lakefront Protection District and to divide that District into several zones wherein any and all development or construction, as specified in Article V hereinafter, shall be specifically restricted and regulated;
- 3. To maintain and improve the purity and quality of the waters of Lake Michigan;
- 4. To insure that construction in the Lake or modification of the existing shoreline shall not be permitted if such construction or modification would cause environmental or ecological damage to the Lake or would diminish water quality; and lo insure that the life patterns of fist, migratory birds and other fauna are recognized and

supported;

- 5. To insure that the Lakefront Parks and the Lake itself arc devoted only to public puiposes and to insure the integrity of and expand the quantity and quality of the Lakefront Parks;
- 6. To promote and provide for continuous pedestrian movement along the shoreline;
- 7. To promote and provide for pedestrian access to the Lake and Lakefront Parks from and through areas adjacent thereto at regular intervals of one-fourth mile and additional places wherever possible, and to protect and enhance vistas at these locations and wherever else possible;
- 8. To promote and provide for improved public transportation access to the Lakefront;
- 9. To insure that no roadway of expressway standards, as hereinafter defined, shall be permitted in (he Lakefront Parks;
- 10. To insure that development of properties adjacent to the lake or the Lakefront Parks is so defined as to implement the above-staled purposes, provided, however, that with respect to property located within the Private Use Zone as established by Article V, VI, and IX of this Ordinance, the permitted use, special use, lot area per dwelling unit, and floor area ratio provisions ofthe Chicago Zoning Ordinance, Chapter 194 A ofthe Municipal Code of Chicago, shall govern except where such provisions are in substantial conflict with the purposes of this Ordinance or the Fourteen Basic Policies ofthe Lakefront Plan of Chicago;
- 11. To achieve, the above-stated purposes, the appropriate public agency should acquire such properties or rights as may be necessary and desirable;
- 12. To define and limit the powers and duties of the administrative body and officers as provided herein;
- 13. Nothing contained in (he Lake Michigan and Chicago Lakefront Protection Ordinance shall be deemed lo be a waiver or consent, license or permit to use any property or to locate, construct or maintain any building, structure or facility or to carry on any trade, industry, occupation or activity which may be otherwise required by law.

Address: 800 South Michigan Avenue, Chicago, Illinois 60605

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PART FOUR: POTENTIAL IMPACT OF THE PROPOSAL

#### FOURTEEN POLICIES

- 1. Complete (he publicly owned and locally controlled park system along the entire Chicago lakefront.
  - The proposed development is on private property in the Private Use Zone and will have no adverse impact on pursuit of this policy.
- 2. Maintain and enhance the predominately landscaped, spacious and continuous character of the lake shore parks.

The proposed development is in the Private Use Zone and will have no adverse impact on pursuit of this policy.

3. Continue to improve the water quality and ecological balance of Lake Michigan.

The proposed development includes storm water management features such as green roof areas that will reduce the quantity and rate of storm water entering the combined city sewer system. The green roof areas help remove suspended solids from storm water and improve the quality of the water that may enter the combined city sewer system.

4. Preserve the cultural, historical, and recreational heritage of the lakeshore parks.

The proposed development is in the Private Use Zone and will have no adverse impact on pursuit of this policy.

5. Maintain and improve the formal character and open water vista of Grant Park with no new above-ground structures permitted.

The proposed development is in the Private Use Zone and not in Grant Park and will have no adverse impact on pursuit of this policy.

6. Increase the diversity of recreational opportunities while emphasizing lake-oriented leisure time actives.

The proposed development is in the Private Use Zone and will have no adverse impact on pursuit of this policy.

7. Protect and develop natural lakeshore park and water areas for wildlife habitation.

The proposed development is on private property in the Private Use Zone and will have no adverse impact on pursuit of this policy. The proposed development will provide additional landscaping along East 8th Street and South Michigan Avenue'which will provide areas for wildlife habitation.

Address: 800 South Michigan Avenue, Chicago, Illinois 60605

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8. Increase personal safety.

The development will activate a currently relatively dormant portion of South Michigan Avenue. The renovation of the Essex Inn will attract additional visitors to the area. Further, additional residents in the neighborhood 24/7 will assist in improving the safety of the neighborhood.

9. Design all lake edge and lake construction to prevent detrimental shoreline erosion.

The proposed development is not located on the Lake edge or within the Lake.

10. Ensure a harmonious relationship between the lakeshore parks and the community edge, but in no instance will further private development be permitted east of Lake Shore Drive.

The proposed new building is west of Lake Shore Drive, within the Private Use Zone. The historic restoration and new construction will activate this section of Michigan Avenue, providing an attractive and active link from the lakeshore parks to the downtown and South Loop areas..

11. Improve access to the lakeshore parks and reduce through vehicular traffic on secondary park roads.

The Applicant has been working with CDOT to ensure that its vehicular traffic will not impede pedestrian and vehicular access to the lakefront.

12. Strengthen the parkway characteristics of Lake Shore Drive and prohibit any roadway of expressway standards.

The proposed development will have no adverse impact on pursuit of this policy.

13. Ensure that all port, water supply, and public facilities are designed to enhance lakefront character.

The proposed development is in the Private Use Zone and includes no port, water supply or other public facilities.

14. Coordinate all public and private development within the water, park and community zones.

The proposed development will further this purpose.

#### THIRTEEN PURPOSES

1. To promote and protect the health, safety, comfort, convenience, and the general welfare of the people, and to conserve our natural resources;

Address: 800 South Michigan Avenue, Chicago, Illinois 60605

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The proposed development is designed to increase the vibrancy of this section of South Michigan Avenue and provide additional population to the area, which will increase security.

In addition the new residential building is planned to achieve LEED\*" certification, with multiple features that will assist in conserving natural resources.

2. To identify and establish the Lake Michigan and Chicago Lakefront Protection District and to divide that District into several zones wherein any and all development or construction, as specified in Article V hereinafter, shall be specifically restricted and regulated;

This purpose does not apply to individual projects.

3. To maintain and improve the purity and quality of the waters of Lake Michigan;

The proposed new residential building will provide a 50% green roof, which will assist in improving the purity and quality ofthe waters of Lake Michigan.

4. To insure that construction in the Lake or modifications of the existing shoreline shall no be permitted if such construction or modification would cause environmental or ecological damage to the Lake or would diminish water quality; and to insure that the life patterns of fish, migratory birds and other fauna are recognized and supported;

The proposed, development involves no construction in the Lake or modifications of the existing shoreline.

5. To insure that the Lakefront Parks and the Lake itself are devoted only to public purposes and to insure the integrity of and expand the quantity and quality of the Lakefront Parks;

The proposed development is in the Private Use Zone and will have no adverse impact on pursuit of this policy.

6. To promote and provide for continuous pedestrian movement along the shoreline;

The proposed development is in the Private Use Zone and not on the shoreline and will have no adverse impact on pursuit of this purpose.

7. To promote and provide for pedestrian access to the Lake and Lakefront Parks from and through areas adjacent thereto at regular intervals of one-fourth mile and additional places wherever possible, and to protect and enhance vistas at these locations and wherever else possible;

See response to Policy #10 above.

Address: 800 South Michigan Avenue, Chicago, Illinois 60605

EASTV105633S30.1

8. To promote and provide for improved public transportation access to the Lakefront;

The proposed development is in the Private Use Zone and will have no adverse impact on pursuit of this purpose.

9. To insure that no roadway of expressway standards, as hereinafter defined, shall be permitted in the Lakefront Parks;

The proposed development is in the Private Use Zone and will have no adverse impact on pursuit of this purpose.

- 10. To insure that development of properties adjacent to the Lake or the Lakefront Parks is so defined as to implement the above-stated purposes, provided, however,
- i that with respect to property located within (he Private Use Zone as established by Article V, VI, and IX of this Ordinance, the permitted use, special use, lot area per dwelling unit, and floor area ratio provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, shall govern except where such provisions are in substantial conflict with the purposes of this Ordinance or the fourteen Basic Policies of the Lakefront Plan of Chicago;

The proposed development conforms to the existing zoning, subject to a pending planned development application. The development will conform with the limits established on the maximum number of dwelling units, maximum floor area, and minimum number of parking spaces.

11. To achieve the above-stated purposes, the appropriate public agency should, acquire such properties or rights as may be necessary and desirable;

The proposed development involves private property within the Private Use Zone. The Applicant is a non-governmental entity.

12. To define and limit the powers and duties of the administrative body and officers as provided herein;

This purpose is not applicable lo individual projects.

13. Nothing contained in the Lake Michigan and Chicago Lakefront Protection ordinance shall be deemed to be a waiver or consent, license or permit to use any property or to locate, construct, or maintain any building, structure or facility or to carry on any trade, industry, occupation or activity which may be otherwise required by law.

The Applicant acknowledges this purpose.-

Address: 800 South Michigan Avenue, Chicago, Illinois 60605

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Office of the City Clerk Page 45 of 317 Printed on 7/10/2025

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#### E 11TH STREET

ENLARGED MAP OF THE VICINITY OF THE SITE SCALE 1" - 200' APPLICANT:

ESSEX HOTEL OWNER, LLC

ADDRESS OF PROJECT: 800 SOUTH MICHIGAN AVENUE, CHICAGO, IL PLAN COMMISION

DATE: MAY 19, 2016

PLANNED DEVELOPMENT BOUNDARY

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800 S. MICHIGAN

EXISTING HOTEL PARKING GARAGE TO BE DEMOLISHED 4 STORIES

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**ESSEX HOTEL OWNER, LLC** 

ADDRESS OF PROJECT: 800 SOUTH MICHIGAN AVENUE, CHICAGO, IL

PLAN COMMISION DATE: MAY 19, 2016

E. 8TH ST.

APPLICANT:

ESSEX HOTEL OWNER, LLC

ADDRESS OF PROJECT: 800 SOUTH MICHIGAN AVENUE, CHICAGO, IL

PLAN COMMISION DATE: MAY 19, 2016

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**APPLICANT:** 

ESSEX HOTEL OWNER, LLC ADDRESS OF PROJECT: 800 SOUTH MICHIGAN AVENUE, CHICAGO, IL

PLAN COMMISION DATE: MAY 19, 2016





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APPLICANT:
ADDRESS OF PROJECT:
ESSEX HOTEL OWNERJAC \_
800 SOUTH MICHIGAN AVENUE, CHICAGO, IL
FIGURE 4-2TYPICAL GARAGE PLAN (2-6)

PLAN COMMISION DATE: MAY 19, 2016

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APPLICANT:

ESSEX HOTEL OWNER, LLC

ADDRESS OF PROJECT: 800 SOUTH MICHIGAN AVENUE, CHICAGO, IL PLAN COMMISION

DATE: MAY 19,2016

FIGURE 4-3 -SEVENTH FLOOR PLAN

SCALE 1" = 40\*

APPLICANT: ESSEX HOTEL OWNER, LLC FIGURE 4-4- N EIGHTH FLOOR

PLAN ^

ADDRESS OF PROJECT: 800 SOUTH MICHIGAN AVENUE,

CHICAGO, IL

SCALE 1" = 40'

PLAN COMMISION DATE: MAY 19,2016

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APPLICANT:

ADDRESS OF PROJECT: 800 SOUTH MICHIGAN AVENUE, CHICAGO, IL

FIGURE 4-5 -

TYPICAL FLOOR PLAN (9-11)

PLAN COMMISION DATE: MAY 19, 2016



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APPLICANT:

ADDRESS OF PROJECT:

ESSEX HOTEL OWNER, LLC

800 SOUTH MICHIGAN AVENUE, CHICAGO, IL

PLAN COMMISION DATE: MAY 19, 2016

FIGURE 4-6-

**TYPICAL FLOOR PLAN (12-14)** 

**SCALE 1" = 40'** 

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ADDRESS OF PROJECT: 800 SOUTH MICHIGAN AVENUE, CHICAGO, IL

PLAN COMMISION DATE: MAY 19, 2016

FIGURE 4-7 -

TYPICAL FLOOR PLAN (15-54) r\ SCALE 1" = 40"

MAXIMUM TOWER HEIGHT EL: +62LT-0"

-% 57TH FLOOR 7TH FLOOR EL: +64'-0" EL: +586'-8"

MATERIA L KEY

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CONCEALED PARKING CALCULATIONS FLOORS 2-6 50'-O"(h)x91'-10"(w) = 4,591.73 sf  $4,\!592sf$ 

# **APPLICANT:**

**ESSEX HOTEL OWNER, LLC** 

ADDRESS OF PROJECT: 800 SOUTH MICHIGAN AVENUE, CHICAGO, IL PLAN COMMISION

DATE: MAY 19, 2016

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APPLICANT
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800 SOUTH
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**SCALE. 1/6** 

IL PLAN COMMISIO N DATE: MAY 19, 2016

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8TH FLOOR EL: +81

EL: +64<sup>-</sup>-0"

# MATERIAL KEY

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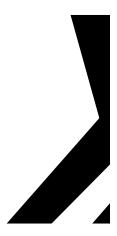
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**APPLICANT: ESSEX HOTEL OWNER, LLC**  FIGURE 5-3 - WEST **ELEVATION** 

# ADDRESS OF PROJECT: 800 SOUTH MICHIGAN AVENUE, CHICAGO, IL PLAN COMMISION DATE: MAY 19, 2016

SCALE 1/64" = V

#### MATERIAL KEY

" GLASS SPANDREL PANEL - SOLEXIA SPANLTSET PAINT 4TH SURFACE 40% FRIT ON 2NO SURFACE ,LASS SPANDREL PANEL. SOLEXIA SPANDREL PAINT 4TH SURFACE 70% FRIT ON 2ND

MAXIMUM TOWER HEIGHT, EL: +620'-0" 57TH FLOOR m ~1

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GLASS SPANDREL PANEL - PAINT ON 4TH SURFACE. 70% FRTT ON 2ND SURFACE

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CLEAR LOW-E VISION GLASS CURTAIN WALL SOLARBAN 70.40% FWT

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GLASS SPANDREL PANEL - PAINT ON 4TH SURFACE. 70% FRIT ON 2ND SURFACE

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METAL FINISH CHANNEL

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8TH FLOOR
            EL: +127'-9"
                    OR^
             EL: +81'-
7TH FLOOR
EL: +64'-0*
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**APPLICANT:** 

**ESSEX HOTEL OWNER, LLC** 

ADDRESS OF PROJECT: 800 SOUTH MICHIGAN AVENUE, CHICAGO, IL

PLAN COMMISION DATE: MAY 19, 2016

CHARACTER OF THE PROPOSAL

FIGURE 6 - NARRATIVE

Essex Hotel Owner, LLC (the "Applicant") proposes the historic restoration of the existing 15-story Essex Inn building and the construction of a new, attached 57-story hotel amenity and residential lower directly to its south. The subject property is located on the southwest corner of East 8th Street and Michigan Avenue and is directly to the west of Grant Park. Currently, the property is improved with the Essex Inn hotel.

The overall development will contain a combined maximum FAR of 21.54. The Essex Inn hotel will undergo extensive historic restoration and will contain approximately 290 keys. The new tower building will contain up to 476 residential dwelling units, up to 100 hotel keys and enclosed parking. A number of shared amenities for the residential and hotel uses will be provided, including a seventh-floor rooftop amenity deck, a 50% green roof on the new residential building and other indoor amenities. Additional amenity spaces are located on the second through sixth floors and eighth floor of the new tower. The proposed development will also provide additional landscaping along East 8th Street and South Michigan Avenue that is currently lacking.

The architecture of the new tower takes into consideration its prominent location within the private use zone of the Lakefront Protection Zone and along Grant Park. The proposed development is intended to continue the important Michigan Avenue street wall south from East 8th Street. Overall, the proposed development will protect and enhance the experience of the lakefront and its parks.

Address: 800 South Michigan Avenue, Chicago, Illinois 60605

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**FINAL** 

# REPORT to the CHICAGO PLAN COMMISSION from the DEPARTMENT OF PLANNING AND DEVELOPMENT MAY 19, 2016

**APPLICANT: LOCATION:** 

ESSEX HOTEL OWNER, LLC 800 SOUTH MICHIGAN AVENUE

FOR APPROVAL: 1)

2)

ESTABLISHMENT of a RESIDENTIAL BUSINESS PLANNED DEVELOPMENT; and, APPROVAL OF LAKE MICHIGAN AND CHICAGO LAKEFRONT PROTECTION DISTRICT APPLICATION NO. 680

**SEPTEMBER 24, 2015** 

MANDATORY PLANNED DEVELOPMENT - THE PROJECT EXCEEDS THE HEIGHT THRESHOLD OF 440' (620') AND THE UNIT THRESHOLD OF 400 (476) IN A DX-16 ZONING

#### DISTRICT PER SECTIONS 17-8-0512-B and 17-8-0513-B, RESPECTIVELY

#### PROJECT SUMMARY

The project is located across the street from Grant Park at 800 South Michigan Avenue in Chicago's Near South Side Community Area and the Michigan Boulevard Historic (Landmark) District. The project is also located within the Lake Michigan and Chicago Lakefront Protection District.

The overall 28,744 square foot site is currently zoned DX-16 (Downtown Mixed-Use District) and will remain as such prior to establishing the proposed Residential Business Planned Development. The Applicant intends to create two subareas within the boundaries of the proposed planned development.

Subarea A, located at 800 South Michigan Avenue consists of an existing 160' building known as the Essex Hotel and will be rehabbed to include 290 hotel keys. The Essex Hotel was recommended to be a Chicago Landmark by the Chicago Commission on Landmarks on May 5, 2016. Subarea B, located at approximately 812 South Michigan Avenue is currently improved with a parking garage; the property will be redeveloped to include the proposed tower.

1

**FINAL** 

The proposed residential building to be located within Subarea B is planned to consist of a 46-story tower on top of an 8-story base. The base primarily includes the parking levels, with 100 parking spaces, concealed behind the front facade of the building, and various amenity areas. Residential amenity space will be located in front ofthe concealed parking floors on levels 2-6. Levels 7 and 8 will include additional amenity space as well as a pool and outdoor terraces located along the north and south sides ofthe building. Floor 8 also includes a 4 story atrium. The first floor will consist of the main pedestrian entrance, residential lobby space, hotel lobby space and a small amount of commercial space that will front on Michigan Avenue.

Floors 9-11 include dwelling units located behind the atrium space while floors 12-14 consist entirely of residential units with a distinctive floor plate due to the location of these floors in the building. Floors 15-54 are all residential floors and include the floor plate typical of the remainder of the tower. The total height of the tower will not exceed 620'.

Loading access to the tower will be achieved via a private drive located in between South Michigan Avenue and South Wabash Avenue. Vehicular (passenger) car access to the tower will be achieved via East 9<sup>th</sup> Street. The building is planned to contain an internal vehicular lift system to be operated by a valet.

The building will contain a mix of varying-sized rental apartments, totaling 476 units. The overall average unit size will be approximately 800 square feet. The building will contain various indoor and outdoor amenity levels, including private balconies, totaling approximately 17,000 square feet. The project will provide an 11,549 square foot green roof (approximately 66% of the net roof area) and

will achieve LEED (Leadership in Energy and Environmental Design) certification. (See Exhibits)

#### **BULK/USES/DENSITY/ARO**

The PD would cap the total (overall) FAR for the project at 21.54, which includes the base FAR of 16 plus the following bonuses:

- 4.00 FAR from the Affordable Housing Bonus -1.02 FAR from the Concealed Parking Bonus
- .06 FAR from the Upper-Level Setback Bonus
- .46 FAR from the Green Roof Bonus

The FAR for Subarea A (the Essex Hotel) would be 11.01 while for Subarea B (proposed tower) it would be 27.00. The PD would allow for residential, commercial, hotel and accessory parking uses. The project is seeking the MLA Reduction for Affordable Housing and the Minimum Lot Area (MLA) for the project is 84.95. The project will include no more than 50% efficiency units, per Section 17-4-0409-A ofthe Chicago Zoning Ordinance.

The Applicant filed the project within the deadline established under the City of Chicago's 2007 ARO (Affordable Requirements Ordinance). The Applicant is seeking the Affordable Housing Bonus and will be complying with the ARO by paying an in-lieu fee of \$2,023,578.

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## **EXISTING AERIAL (site in yellow):**

#### RECOMMENDATION

The Department of Planning and Development has reviewed the project materials submitted by the Applicant and compared this proposal to existing development in the community. The area around this project consists of a mix of downtown zoning districts and planned developments and the project represents an opportunity to construct a compatible residential infill project along South

Michigan Avenue within the Michigan Boulevard Historic (Landmark) District, Chicago and Lake Michigan Lakefront Protection District and Near South Side Community Area.

Based on that analysis, the Department of Planning and Development has concluded that this proposal is appropriate for this site and supports this development for the following reasons:

1. The proposed rezoning of the subject property is appropriate under Chapter 17-13 of the Zoning Ordinance. Specifically, the proposed DX-16 underlying zoning classification and the project is 1) consistent with plans for the area, including the Central Area Action Plan (17-13-0308-A); 2) appropriate because of growth and development trends (17-13-0308-B); 3) compatible with surrounding zoning districts (17-13-0308-D); and 4) the public infrastructure facilities and city services will be

4

**FINAL** 

adequate to serve the proposed development at the time of occupancy (17-13-0308-E).

- 2. The project meets the purpose and criteria set forth in Chapter 17-8 of the Zoning Ordinance and its adoption would not have any adverse impact on the public's health, safety or welfare. Specifically, this project meets the following provisions:
  - a. Provides adequate bicycle parking and vehicle parking, while minimizing the adverse visual impact of any off-street parking areas (per 17-8-0904-A7) as evidenced by the proposed bicycle storage space devoted on site and concealed parking structure;
  - b. Provides street-level spaces within buildings that are designed to accommodate active uses or to otherwise engage pedestrian interest (per 17-8-0905-A2) as evidenced by the project's street level facade composed primarily of glass providing an engaging experience for pedestrians entering or moving past the building lobby or commercial space;
  - c. All sides and areas of the buildings that are visible to the public are treated with materials, finishes and architectural details that are of high-quality and appropriate for use on primary street-facing facade (17-8-0907-A-4), as evidenced through the material callouts in this report and on the elevations;
  - d. Provides that buildings have a clearly defined vertical appearance, comprised of a base, midsection and top (per 17-8-0907-B1) as evidenced by the overall design of the structure;
  - e. Provides that upper-story setbacks should be used to reduce the apparent mass and bulk of tall buildings and should be used to convey a sense of sculpting to the tower and the top floors ofthe building (per 17-8-0907-B3) as evidenced by the tower's proposed uniquely sculpted design; and,
  - f. Promotes green design by conserving non-renewable energy and scarce, materials (per 17-8-0908-A) as evidenced by the project's proposed green roof and LEED certification.
    - 3. The project has been reviewed and approved by the Chicago Department of

Transportation, Mayor's Office for People with Disabilities and the Fire Department.

Based on the foregoing, it is the recommendation of the Department of Planning and Development that this application for a Residential Business Planned Development be approved and that the recommendation to the City Council Committee on Zoning, Landmarks and Building Standards be "Passage Recommended".

The Department of Planning and Development has also reviewed the project materials submitted by the Applicant with regards to the Policies and Purposes of the Lake Michigan and Chicago Lakefront Protection Ordinance and has concluded that the proposed development would be in compliance with the applicable Policies of the Lakefront Plan of Chicago and the Purposes of the Lake Michigan and Chicago Lakefront Protection Ordinance, as they apply to development in the Private Use Zone, specifically:

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**FINAL** 

- 1. Policy No. 8 (Increase personal safety): The proposal will activate an underutilized piece of valuable urban land bringing new residents and activity to this part of South Michigan Avenue;
- 2. Policy No. 10 (Ensure a harmonious relationship between lakeshore parks and community edges but in no instance allow private development east of Lake Shore Drive): The proposal consists of an appropriate residential infill project that will appropriately frame Grant Park directly to the east; and,
- 3. Policy No. 14 (Coordinate all public and private development within the water, park and community zones): This site is located within the Private-Use Zone, and the development has been coordinated with the appropriate City departments and community to minimize the impact of construction and to ensure it remains in context with the surrounding neighborhood.

With respect to the Policies not enumerated here, the Department of Planning and Development has determined that they are either not applicable to development in the Private Use Zone or that the proposed project will not have a detrimental effect on the Lake Michigan shoreline or any wildlife habitats therein. This is because the proposed project is separated from the shoreline, does not reduce existing open space or wildlife habitat and does not interfere with existing access to, or use of, the lake and its parks.

Based on the foregoing, it is the recommendation of the Department of Planning and Development that this development application, being in conformance with the provisions of the Lake Michigan and Chicago Lakefront Protection Ordinance, be approved, subject to compliance with the exhibits including site and Landscape Plans and elevation drawings dated May 19, 2016 and presented before you today.

Bureau of Zoning and Land Use Department of Planning

and Development

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**FINAL** 

# DEPARTMENT OF PLANNING AND DEVELOPMENT CITY OF CHICAGO

# RESIDENTIAL BUSINESS PLANNED DEVELOPMENT 800 SOUTH MICHIGAN AVENUE

#### RESOLUTION

- WHEREAS, the Applicant, Essex Hotel Owner, LLC, proposes to establish a Residential Business Planned Development at 800 South Michigan Avenue; and,
- WHEREAS, The Applicant intends to create two subareas within the overall 28,744 square foot site. Subarea A, located at 800 South Michigan Avenue consists of an existing 160' hotel building and will be rehabbed to include a maximum of 290 hotel keys; and,
- WHEREAS, Subarea B, located at approximately 812 South Michigan Avenue, will be redeveloped with an approximately 620' residential building including a maximum of 476 dwelling units, 100 hotel keys as well as 100 parking spaces and commercial space; and,
- WHEREAS, The overall site is currently zoned DX-16 (Downtown Mixed-Use District) and will remain as such prior to establishing the proposed Residential Business Planned Development; and,
- WHEREAS, the Applicant's request to rezone the property was introduced to the City Council on

September 24, 2015; and,

- WHEREAS, proper legal notice of the hearing before the Plan Commission was published in the Chicago Sun-Times on May 4, 2016. The Applicants were separately notified of this hearing and the proposed zoning application was considered at a public hearing by this Plan Commission on May 19, 2016; and,
- WHEREAS, the Plan Commission has reviewed the application with respect to the provisions of the Zoning Ordinance and finds that the proposal will be consistent with said provisions; and
- WHEREAS, the Department of Planning and Development recommended approval ofthe application, with the recommendation and explanation contained in the

121 NORTH LASALLE STREET, ROOM 1000, CHICAGO, ILLINOIS 60602

FINAL

written report dated May 19, 2016, a copy of which is attached hereto and made a part hereof; and,

WHEREAS, the Plan Commission has fully reviewed the application and all informational submissions associated with the proposed amendment, the report and recommendation of the Commissioner of the Department of Planning and Development and all other testimony presented at the public hearing held on May 19, 2016, giving consideration to the Zoning Ordinance:

#### NOW, THEREFORE, BE IT RESOLVED BY THE CHICAGO PLAN COMMISSION:

- 1. THAT the above-stated recitals to this resolution together with the report of the Commissioner of the Department of Planning and Development be adopted as the findings of fact of the Plan Commission regarding this zoning map amendment application; and,
- 2. THAT this Plan Commission recommends approval to the City Council Committee on Zoning, Landmarks and Building Standards ofthe final zoning application dated May 19, 2016; and,

Martin Cabrera, Jr Chairman Chicago Plan Commission

RBPD No.

Approved: May 19, 2016

#### 121 NORTH LASALLE STREET, ROOM 1000, CHICAGO, ILLINOIS 60602

#### **AMENDED**

CITY OF CHICAGO APPLICATION FOR AN AMENDMENT TO THE CHICAGO ZONING ORDINANCE

## RECEIVED

MAY I 9 201r

1. ADDRESS of the property Applicant is seeking to rezone:

Initial" XJllf^fc^lojO

800 South Michigan Avenue. Chicago. Illinois 60605

"'ard Number that properly is located in: 4lh V/ard

APPLICANT Essex Hotel Owner. LLC

ADDRESS 350 W. Hubbard. Suite 440

CITY Chicago STATE IL ZIP CODE 60654

PHONE (312)755-9500 CONTACT PERSON John W. Rutledge

4. Is the applicant the owner of the property? YES

NO X\*:

If the applicant is not the owner ofthe property, please provide the following information regarding the owner and attach written authorization from the owner allowing the applicant to proceed. \*\*The Applicant is the owner of the improvements and the following entity owns the underlying land pursuant to a long-term ground lease.

OWNER Storm Investments. L.P.

ADDRESS 10 South Liberty Drive

<u>CITY South Ban-melon</u> <u>STATE IL</u> <u>ZIP CODE 60010</u>

PHONE 847-426-8699 CONTACT PERSON Robert Storm

5. If the Applicant/Owner of the property has obtained a lawyer as Iheir representative for the rezoning, please provide the following information:

ATTORNEY DLA Piper LLP (US) - Attn: Paul Shadle & Mariah DiGrino

ADDRESS 203 N. LaSalle Street. Suite 1900

CITY Chicago STATE IL ZIP CODE 60601

PHONE (312) 368-3493 7-7261 FAX (312)251-2856

EMAIL paul.shadle@dlapiper.com <mailto:paul.shadle@dlapiper.com> / mariah.digrino@dlapiper.com <mailto:mariah.digrino@dlapiper.com>

#### F.AS1M 05631358.2

6. If the applicant is a legal entity (Corporation, LLC, Partnership, etc.) please provide the names of all owners as disclosed on the Economic Disclosure Statements:

See attached Economic Disclosure Statements

- 7. On what date did the owner acquire legal title to the subject property? April 2005
- 8. Mas the present owner previously rezoned this property? If yes,-when? No
- 9. Present Zoning District DX-16 Downtown Mixed-Use District

Proposed Zoning District Residential-Business Planned Development

- 10. Lot size in square feet (or dimensions) +/- 28.744 square feet
- 11. Current Use of the Property Commercial
- 12. Reason for rezoning the property Mandatory Planned Development pursuant to Section 17-8-0512
- 12. (Tall Buildings)
- 13. Describe the proposed use of the property after the rezoning. Indicate the number of dwelling units; number of parking spaces; approximate square footage of any commercial space; and height of the proposed building. (BE SPECIFIC)

The Applicant requests a rezoning of the subject property from the DX-16 Downtown Mixed-Use District to a Residential-Business Planned Development to allow for the historic restoration of the existing 15-story hotel building containing approximately 290 keys and the construction of a new 57-story residential building, containing an overall FAR of 21.54. up to 476 dwelling units and up to 390 hotel units, accessory parking, commercial uses on the ground floor and building base levels,

and accessory and incidental uses.

14. On May 14<sup>lh</sup>, 2007, the Chicago City Council passed the Affordable Requirements Ordinance (ARO) that requires on-site affordable housing units or a financial contribution if residential housing projects receive a zoning change under certain circumstances. Based on the lot size ofthe project in question and the proposed zoning classification, is this project subject to the Affordable Requirements Ordinance? (See fact Sheet for more information)

YES X NO

1-:aS'1M05631358 2

# 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:

#### U.S. URBAN PROPERTIES LP

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

Indicate whether the Disclosing Party submitting this EDS is:

1. [] the Applicant

OR

- 2. pxl 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: ESSEX HOTEL OWNER, LLC OR
- 3. [] a legal entity with a right of control (see Section II.B.l.) State the legal name of the entity in which the Disclosing Party holds a right of control:
- B. Business address of the Disclosing Party: 160 GREENTREE DRIVE, SUITE 101, DOVER, DE 19904, KENT COUNTY

C. Telephone: +44 2079717800 Fax:+442079717830 Email: iaslam@quadrumglobal.com <mailto:iaslam@quadrumglobal.com>

File #: SO2015-6429, Ver	rsion: 1	
which this EDS pertai APPLICATION FOR	contract, transact ns. (Include projec CLASS L PROPI	AM  tion or other undertaking (referred to below as the "Matter") to ct number and location of property, if applicable): ERTY TAX INCENTIVE AND PLANNED DEVELOPMENT SOUTH MICHIGAN AVENUE
E. Federal Employer Id	entification No. (if	You have one): 1 i
	`	requesting this EDS? PLANNING AND DEVELOPMENT
	contract being ha	ndled by the City's Department of Procurement Services, please
Specification #		and Contract #
Page 1 of 13  SECTION II  THE DISCLOSING PAR	DISCLOSURE	OF OWNERSHIP INTERESTS A. NATURE OF
1. Indicate the nature [ ] Person [ ] Publicly registered bus [ ] Privately held business [ ] Sole proprietorship [ ] General partnership [x] Limited partnership [ ] Trust	siness corporation	[] 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:
P£LP>WTaRE		" -
_ 3. For legal entities no business in the State of II	-	rate of Illinois: Has the organization registered to do ntity?
[]Yes	[>3No []N/A	
B. IF THE DISCLOSING	FARTY IS A LEGA	AL ENTITY:

File #: SO2015-6429, Version: 1

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 Title

rvSLftM

3>\P,ECTOft

QUADRUM US CORP.

GENERAL PARTNER

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

Page 2 of 13

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

Name Business Address Percentage Interest in the Disclosing Party

U.S. IAftfrftN PftO?EaTV£S 009,9. °[0
460 GftEEWTfcfeE 3)^WE SUITE AQ\ X>QVER, DE 4 9304 (^EHT C00UTN)

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

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

[]Yes MNo

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

# SECTION IV - DISCLOSURE OF SUBCONTRACTORS AND OTHER RETAINED PARTIES

<sup>\*</sup> Remaining 10% held by parties holding less than 7.5% interest.

#### File #: SO2015-6429, Version: 1

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

"Lobbyist" means any person or entity who undertakes to influence any legislative or administrative action on behalf of any person or entity other than: (1) a not-for-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)

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

Relationship to Disclosing Party Fees (indicate whether paid or estimated.) NOTE:

"hourly rate" or "t.b.d." is not an acceptable response.

(Add sheets if necessary),

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

# **SECTION V -- CERTIFICATIONS**

# A. COURT-ORDERED CHILD SUPPORT COMPLIANCE

Under Municipal Code Section 2-92-415, substantial owners of business entities that contract with the "CitymustTemain4n-compliance-w^^ 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 D<3 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?

File	#: SO2015-6429, Version:	n: 1

[] Yes [] No

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

1. Pursuant to Municipal Code Chapter 1 -23, Article I ("Article I")(which the Applicant should consult for defined terms (e.g., "doing business") and legal requirements), if the Disclosing Party submitting this EDS is the Applicant and is doing business with the City, then the Disclosing Party certifies as follows: (i).neither the Applicant nor any controlling person is currently indicted or charged with, or has admitted guilt of, or has ever been convicted of, or placed under supervision for, any criminal offense involving actual, attempted, or conspiracy to commit bribery, theft, fraud, forgery, perjury, dishonesty or deceit against an officer or employee of the City or any sister agency; and (ii) the Applicant understands and acknowledges that compliance with Article I is a continuing requirement for doing business with the City. NOTE: If Article I applies to the Applicant, the permanent compliance timeframe in Article I supersedes some five-year compliance timeframes in certifications 2 and 3 below.

# Page 4 of 13

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

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

# Page 5 of 13

Neither the Disclosing Party, nor any Contractor, nor any Affiliated Entity of cither 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:

# Page 6 of 13

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

- 8. To the best of the Disclosing Party's knowledge after reasonable inquiry, the following is a complete list of all current employees of the Disclosing Party who were, at any time during the 12-month period preceding the execution date of this EDS, an employee, or elected or appointed official, of the City of Chicago (if none, indicate with "N/A" or "none").
- 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 Dfl 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):

N[r)

File #: SO2015-6429, Version:	1
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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?

[JYes D^No

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

2. Unless sold pursuant to a process of competilive biclding, 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.

[]	] Yes	[ ] No
	•	to Item D.l., provide the names and business addresses of the City officials or
emplo	oyees having such inter	est and identify the nature of such interest:

**Business Address** 

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

Nature of Interest

#### E. CERTIFICATION REGARDING SLAVERY ERA BUSINESS

Does the Matter involve a City Property Sale?

Name

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

Page 8 of 13

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

\_X\_1. The Disclosing Party verifies that the Disclosing Party has searched any and all records of the Disclosing Party and any and all predecessor entities regarding records of investments or profits from slavery or slaveholder insurance policies during the slavery era (including insurance policies issued to slaveholders that provided coverage for damage to

or injury or death of their slaves), and the Disclosing Party has found no such records.

2. The Disclosing Party verifies that, as a result of conducting the search in step 1 above, the Disclosing Party has found records of investments or profits from slavery or slaveholder insurance policies. The Disclosing Party verifies that the following constitutes full disclosure of all such records, including the names of any and all slaves or slaveholders described in those records:

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

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

#### A. CERTIFICATION REGARDING LOBBYING

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

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

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

Page 9 of 13

- 3. The Disclosing Party will submit an updated certification at the end of each calendar quarter in which there occurs any event that materially affects the accuracy of the statements and information set forth in paragraphs A.l. and A.2. above.
- 4. The Disclosing Party certifies that either: (i) it is not an organization described in section 501(c)(4) of the Internal Revenue Code of 1986; or (ii) it is an organization described in section 501(c)(4) of the Internal Revenue Code of 1986 but has not engaged and will not engage in "Lobbying Activities".
- 5. If the Disclosing Party is the Applicant, the Disclosing Party must obtain certifications equal in form and substance to paragraphs A.l. through A.4. above from all subcontractors before it awards any subcontract and the Disclosing Party must maintain all such subcontractors' certifications for the duration of the Matter and must make such

File #: SO2015-6429, Versi	on: 1	
certifications promptly ava	ilable to th	ne City upon request.
B. CERTIFICATION REC	GARDING	EQUAL EMPLOYMENT OPPORTUNITY"
= •		leral regulations require the Applicant and all proposed subcontractors to their bids or in wfiting~aTtBfi^utsct"o'f negotiations.
Is the Disclosing Party the	Applicant	?
[]Yes	[JNo	$U r\rangle$ ,
If "Yes," answer the three	questions l	pelow:
1. Have you developed regulations? (See 41 CFR )		you have on file affirmative action programs pursuant to applicable federal
•		Reporting Committee, the Director of the Office of Federal Contract Compliance Opportunity Commission all reports due under the applicable filing requirements?

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

[ J Yes [ J No

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

Page 10 of 13

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

The Disclosing Party understands and agrees that:

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

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

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

ordinances.

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

# Page 11 of 13

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

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

# **CERTIFICATION**

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

File #:	SO2015-6429,	Version:	1

1A.S. lAdfeftU y£.QYE&T\£S L? (Print or type name^f Disclosing Party)

By:\_\_ (Sign here)

(Print or type name of person signing)

 $Q^{rvcg}$ . (of G)

(Print or type title of person signing)

Signed and sworn to before me on (date) ^ f^)AY ^'=" ^

at L&tsbaiJ County, gV4 i/?vP (state).

Notary Public.

Commission expires: Of^ b^frftf

Page 12 of 13

[WSNDY YUK WAH SYMON - NOTARY PUHLIC hdward Ycung Llmftod Notary Public London 9 Carlos Place London W1K 3AT United Kmgdorr Tel: +44 (0) 20 748S 2605 Wtw/.nota.VBUDSiciniondon.corr;

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 ofthe 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 H.B.l.a., if the Disclosing Patty 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.

File #: SO2015-6429, \	/ersion: 1	
	Party or any "Applicable Party" or with an elected city official or depa	any Spouse or Domestic Partner thereof currently have a ur tment head?
[]Yes	[ ] No	
person is connected; (3)		uch person, (2) the name of the legal entity to which such city official or department head to whom such person has a milial relationship.
	Page 13 o	of 13
		MIC DISCLOSURE STATEMENT AND AFFIDAVIT PENDIX 13
BUDLDING (	CODE SCOFFLAW/PROBLEM L	ANDLORD CERTIFICATION
ownership interest in		Applicant, and (b) any legal entity which has a direct at (an "Owner"). It is not to be completed by any legal entity dicant.
	nicipal Code Section 2-154-010, is oblem landlord pursuant to Section	the Applicant or any Owner identified as a building code 2-92-416 of the Municipal Code?
[JYes [JNo		
		fflaw or problem landlord pursuant to Section 2-92-416 ofth
[JYes	[JNo	[ J Not Applicable
identified as a		e name of the person or legal entity n landlord and the address of the building or buildings to which

the pertinent code violations apply.

FILLING OUT THIS APPENDIX B CONSTITUTES ACKNOWLEDGMENT AND AGREEMENT THAT THIS APPENDIX B IS INCORPORATED BY REFERENCE INTO, AND MADE A PART OF, THE ASSOCIATED EDS, AND THAT THE REPRESENTATIONS MADE IN THIS APPENDIX B ARE

File #:	SO2015	-6429	Version:	1

SUBJECT TO THE CERTIFICATION MADE UNDER PENALTY OF PERJURY ON PAGE 12 OF THE ASSOCIATED EDS.

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# CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT

# **SECTION I - GENERAL INFORMATION**

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

**Cancer Investment Holdings Limited** 

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

Indicate	whethe	r the I	Disc	losing	Party s	submitting	this	FDS	ic
muicaic	whethe	i uic i	ハシ	IOSIII9	Failvs	Subilituine.	$_{\rm HHS}$	17170	15

- 1. [] the Applicant OR
- 2. [xl 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: ESSEX HOTEL OWNER, LLC OR
- 3. [] a legal entity with a right of control (see Section II.B.l.) State the legal name of the entity in which the Disclosing Party holds a right of control:

B. Business address of the Disclosing Party: Geneva Place, Waterfront Drive, P.O. Box 3469, Road Tow

Tortola, British Virgin Islands

C. <u>Telephone: +44 1481 721374 Fax: N/A Email: kelvin.hudson@saffery.gg</u> <mailto:kelvin.hudson@saffery.gg>

D. Name of contact person: Kelvin Hudson

File #: SO2015-6429, Version: 1
E. Federal Employer Identification No. (if you have one):
F. Brief description of contract, transaction or other undertaking (referred to below as the "Matter") to which this EDS pertains. (Include project number and location of property, if applicable): APPLICATION FOR CLASS L PROPERTY TAX INCENTIVE AND PLANNED DEVELOPMENT FOR PROPERTY LOCATED AT 800 SOUTH MICHIGAN AVENUE
G. Which City agency or department is requesting this EDS? PLANNING AND DEVELOPMENT
If the Matter is a contract being handled by the City's Department of Procurement Services, please complete the following:
Specification # and Contract #
Page 1 of 13  SECTION II DISCLOSURE OF OWNERSHIP INTERESTS
A. NATURE OF THE DISCLOSING PARTY
1. Indicate the nature of the Disclosing P Person Publicly registered business corporation Privately held business corporation Sole proprietorship General partnership Limited partnership Trust
<ul> <li>2. For legal entities, the state (or foreign * ty:  [ ] 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  fx) Other (please specify)  Company Limited By Shares</li> </ul>

untry) of incorporation or organization, if applicable:

# British Virgin Islands

3. For legal entities not organized in the State of Illinois: Has the organization registered to do

Fil	ile #: SO2015-6429, <b>Version</b> : 1				
	"businessirTtKe SfaW^		"~"~~ ~	~~	
	[]Yes	X]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 of the entity. NOTE: For not-for-profit corporations, also list below all members, if any, which are legal entities. If there are no such members, write "no members." For trusts, estates or other similar entities, list below the legal titleholder(s).

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

Name Title

Saffery Limited and Champness Limited as Corporate Directors.

Individual Directors for both Saffery Limited and Champness Limited are Helen Foster Green, Lorna Mary O'Donnell, Philip James Radford. Ian Baden Powell, Mark William Le Ray, Kelvin Mark Hudson, Nicholas John Batiste, Lisa-Jayne Vizia, Allison Jayne Brouard

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.

#### Pnup?nfn

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
The Corbiere Trust 100%

La Tonnelle House, Les Banques, St. Sampson, Guernsey GY1 3HS

# 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?

File #: SO2015-6429, Version: 1		
[]Yes b	x) No	
If yes, please identify below the i	name(s) of such City elected official(	(s) and describe such relationship(s):
SECTION TV - DISCLOSURE	E OF SUBCONTRACTORS AND	OTHER RETAINED PARTIES
accountant, consultant and any of connection with the Matter, as we	ther person or entity whom the Discleell as the nature of the relationship, a	of each subcontractor, attorney, lobbyist, osing Party has retained or expects to retain in nd the total amount of the fees paid or estimated to ho are paid solely through the Disclosing Party's
of any person or entity other than	a: (1) a not-for-profit entity, on an unj	e any legislative or administrative action on behalf paid basis, or (2) himself. "Lobbyist" also means any acludes undertaking to influence any legislative or
	ertain whether a disclosure is required osure is required or make the disclosu	d under this Section, the Disclosing Party must are.
	Page-3 of-13	
Name (indicate whether B	usiness Relationship to Disclosing	g Party Fees (indicate whether
retained or anticipated Act to be retained)	ddress (subcontractor, attorney, lobbyist, etc.)	paid or estimated.) NOTE: "hourly rate" or "t.b.d." is not an acceptable response.
(Add sheets if necessary)		
[)r] Check here if the Disc	closing Party has not retained, no	r expects to retain, any such persons or entities.
SECTION V - CERTIFICA	ATIONS	
ACOURT-ORDERED CH	IILD SUPPORT COMPLIANCE	

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

File #: SO2015-6429, V	ersion:	1
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th.eX.ity niusU:emaininj:.o.m obligations

throughout the contract's term.

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

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

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

□ Yes []No

#### B. FURTHER CERTIFICATIONS

1. Pursuant to Municipal Code Chapter 1-23, Article I ("Article I")(which the Applicant should consult for defined terms (e.g., "doing business") and legal requirements), if the Disclosing Party submitting this EDS is the Applicant and is doing business with the City, then the Disclosing Party certifies as follows: (i) neither the Applicant nor any controlling person is currently indicted or charged with, or has admitted guilt of, or has ever been convicted of, or placed under supervision for, any criminal offense involving actual, attempted, or conspiracy to commit bribery, theft, fraud, forgery, perjury, dishonesty or deceit against an officer or employee of the City or any sister agency; and (ii) the Applicant understands and acknowledges that compliance with Article I is a continuing requirement for doing business with the City. NOTE: If Article I applies to the Applicant, the permanent compliance timeframe in Article I supersedes some five-year compliance timeframes in certifications 2 and 3 below.

# Page 4 of 13

- 2. The Disclosing Parly 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 pr 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").

# Page 5 of 13

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

- a. bribed or attempted to bribe, or been convicted or adjudged guilty of bribery or attempting to bribe, a public officer or employee ofthe 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 recordfbuf have nol been prosecuted for such conduct; or
- d. violated the provisions 6TTviunictpa'rCode'"Section 2-92~6T01Cnvin^'Wa^C^inWrje"): "
- 4. Neither the Disclosing Party, Affiliated Entity or Contractor, or any of their employees, officials, agents or

#### File #: SO2015-6429, Version: 1

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:

N/A

# Page 6 of 13

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

8. To the best of the Disclosing Party's knowledge after reasonable inquiry, the following is a complete list of all current employees of the Disclosing Party who were, at any time during the 12-month period preceding the execution date of this EDS, an employee, or elected or appointed official, of the City of Chicago (if none, indicate with "N/A" or "none").

N/A

9. To the best of the Disclosing Party's knowledge after reasonable inquiry, the following is a complete list of all gifts that the Disclosing Party has given or caused to be given, at any time during the 12-month period preceding the execution date of this EDS, to an employee, or elected or appointed official, ofthe 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

File #:	SO2015-	6429.	/ersion:	1
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- 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):

N/A

Page-7-of-1-3 -

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 2-156-1 10 of the Municipal Code: Does any official or employee of the City have a financial interest in his or her own name or in the name of any other person or entity in the Matter?

[]Yes M No

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

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

Does the Matter involve a City Property Sale?

[]Yes []No

File#	: S0	D2015	6429.	Version:	1
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3. If you checked "Yes" to Item D.l., provide the names and business addresses of the City officials or employees having such interest and identify the nature of such interest:

Name Business Address Nature of Interest

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

#### E. CERTIFICATION REGARDING SLAVERY ERA BUSINESS

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

Page 8 of 13

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

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

File #: SO2015-6429, Version: 1		
N/A		
(If no explanation appears	or begins on the lines above, or if the letters "NA" or if the word "None" appear, it will be	

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

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

- Page 9. of 13

- 3. The Disclosing Party will submit an updated certification at the end of each calendar quarter in which there occurs any event that materially affects the accuracy of the statements and information set forth in paragraphs A.l. and A.2. above.
- 4. The Disclosing Party certifies that either: (i) it is not an organization described in section 501(c)(4) of the Internal Revenue Code of 1986; or (ii) it is an organization described in section 501(c)(4) of the Internal Revenue Code of 1986 but has not engaged and will not engage in "Lobbying Activities".
- 5. If the Disclosing Party is the Applicant, the Disclosing Party must obtain certifications equal in form and substance to paragraphs A.l. through A.4. above from all subcontractors before it awards any subcontract and the Disclosing Party must maintain all such subcontractors' certifications for the duration of the Matter and must make such certifications promptly available to the City upon request.

#### B. CERTIFICATION REGARDING EQUAL EMPLOYMENT OPPORTUNITY

If the Matter is federally funded, federal regulations require the Applicant and all proposed sub'contractors'to submitthe follow irig in formation with their bids or in writing at the outset of negotiations.

Is the Disclosing Party the Applicant?

[] Yes [] No N/A

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

File #: SO2015-6429, Version: 1

- 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:

Page 10 of 13

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

The Disclosing Party understands and agrees that:

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

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

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

E. The information provided in this EDS must be kept current. In the event of changes, the Disclosing Party must supplement this EDS up to the time the City takes action on the Matter. If the Matter is a contract being handled by the City's Department of Procurement Services, the Disclosing Party must update this EDS as the contract requires. NOTE: With respect to Matters subject to Article I of Chapter 1-23 of the Municipal Code (imposing PERMANENT INELIGIBILITY for certain specified offenses), the information provided herein regarding eligibility must be kept current for a longer period, as required by Chapter 1-23 and Section 2-1 54-020 of the Municipal Code.

The Disclosing Party represents and warrants that:

# Page-H of 13

- F.l. The Disclosing Party is not delinquent in the payment of any tax administered by the Illinois Department of Revenue, nor arc 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.

Cancer Investment Holdings Limited (Print or type name of Disclosing Party)

B»:

(Sign heref"

(Print or type name of person signing)

H>«t4C7brf

(Print or type title of person signing)

unsigned and sworn to before me on (date) 0 at <tf &f^Mr

File #: SO2015-6429, Version: 1

( Cowm- Sfv£0+JS&Y (state).
 Notary Public.

Commission expires: ^1 g^\*.

Page 12 of 13

# CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT APPENDIX A

# FAMILIAL RELATIONSHIPS WITH ELECTED CITY OFFICIALS AND DEPARTMENT HEADS

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

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

"Applicable Party" means {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.

File #: SO2015-6429, Version: 1

# Page 13 of 13

# CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT APPENDIX B

# BUILDING CODE SCOFFLAW/PROBLEM LANDLORD CERTIFICATION

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

I. Pursuant to Municipal Code Section 2-154-010, is the Applicant or any Owner identified as a building code scofflaw or problem landlord pursuant to Section 2-92-416 of the Municipal Code?			
	[]Yes	[ ]No	
2.	2. If the Applicant is a legal entity publicly traded on any exchange, is any officer or director of the Applicant identified as a building code scofflaw or problem landlord pursuant to Section 2-92-416 of the Municipal Code?		
	[] Yes	[ ] No	[] Not Applicable
3.	• • • • • • • • • • • • • • • • • • • •	•	he person or legal entity identified as a building code or buildings to which the pertinent code violations
	THAT THIS APPENDIX B IS INCO THE ASSOCIATED EDS, AND TH	ORPORATED BY RE AT THE REPRESEN	CKNOWLEDGMENT AND AGREEMENT EFERENCE INTO, AND MADE A PART OF, STATIONS MADE IN THIS APPENDIX B DER PENALTY OF PERJURY ON PAGE 12

CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT File #: SO2015-6429, Version: 1

# **SECTION I - GENERAL INFORM ATION**

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

**Corbiere Trust** 

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

Indicate whether the Disclosing Party submitting this EDS is:

1. [] the Applicant

OR

- 2. [xl 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: ESSEX HOTEL OWNER, LLC
- 3. [] a legal entity with a right of control (see Section II.B.l.) State the legal name of the entity in which the Disclosing Party holds a right of control:
- B. Business address of the Disclosing Party: La Tonnelle, Les Banques, St. Sampson, Guernsey GY1 3HS
- C. Telephone: +44 1481 721374 Fax: N/A Email: kelvin.hudson@saffery.gg

<mailto:kelvin.hudson@saffery.gg>

- D. Name of contact person: Kelvin Hudson
- E. Federal Employer Identification No. (if you have one): None
- F. Brief description of contract, transaction or other undertaking (referred to below as the "Matter") to which this EDS pertains. (Include project number and location of property, if applicable): APPLICATION FOR CLASS L PROPERTY TAX INCENTIVE AND PLANNED DEVELOPMENT FOR PROPERTY LOCATED AT 800 SOUTH MICHIGAN AVENUE

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

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

Specification #

and Contract #

File #: SO2015-6429, Version	on: 1		
Page 1 of 13			
- DISCLOSURE OF OWN	ERSHIP INTEREST	rs .	
A. NATURE OF THE DISC	CLOSING PARTY		
[] Person [] Publicly registered busined partnership [] Limited partnership [] Limited partnership [] Limited liability company [] Limited liability partnership [] Joint venture [] Not-for-profit corporation (Is the not-for-profit corporation [] Yes [] Other (please specify)	nership [X  Trust y hip		ation [ ] Sole proprietorship [ ] General
2. For legal entities, the st	tate (or foreign country	y) of incorporation or organ	nization, if applicable:
Guernsey			
3. For legal entities not	organized in the State	of Illinois: Has the organi	zation registered to do
business in the STate off	lIinois^s~aTcTeigh ent	tity?	11111 11_11
[] Yes	pq No	. [ ] N/A	
B. IF THE DISCLOSING P.	ARTY IS A LEGAL E	ENTITY:	
profit corporations, also list members." For trusts, estates If the entity is a general p venture, list below the name	below all members, if a s or other similar entition partnership, limited partand title of each gener	any, which are legal entition es, list below the legal title etnership, limited liability of the partner, managing mem	rectors of the entity. NOTE: For not-for- es. If there are no such members, write "no cholder(s). company, limited liability partnership or joint lber, manager or any other person or entity h legal entity listed below must submit an
Name Title			
Corbiere Trust Company Lin	mited	Trustee	
	aden Powell. Mark Wi	•	elen Foster Green, Lorna Mary O'Donnell, k Hudson. Nicholas John Batiste, Lisa-Jayne

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

File #·	SO2015-6429	Version:	1
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include shares in a corporation, partnership interest in a partnership or joint venture.

# Page 2 of 13

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

Name Business Address Percentage Interest in the Disclosing Party

None

#### 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?

[JYes fc|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.

File #: SO2015-6429, Version: 1			
		Page.3.of .13.	
Name (indicate whether retained or anticipated to be retained)	r Business Address	Relationship lo Disclosing Party (subcontractor, attorney, lobbyist, etc.)	Fees (indicate whether  paid or estimated.) NOTE:  "hourly rate" or "t.b.d." is  not an acceptable response.
(Add sheets if necessary			
- CERTIFICATIONS	disclosing Part	y has not retained, nor expects to re	tain, any such persons or entities. SECTION
A. COURT-ORDERE	D CHILD SU	PPORT COMPLIANCE	
_		92-415, substantial owners of busine support obligations throughout the c	ess entities that contract with - the City must contract's term.
• •	-	ectly owns 10% or more of the Disclois court of competent jurisdiction?	osing Party been declared in arrearage on any
[] Yes	[ ] No	X] No person directly or indirectly Disclosing Party.	y owns 10% or more ofthe

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?

[JYes [JNo

#### B. FURTHER CERTIFICATIONS

1. Pursuant to Municipal Code Chapter 1-23, Article I ("Article I")(which the Applicant should consult for defined terms (e.g., "doing business") and legal requirements), if the Disclosing 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 ofthe 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 Cily. NOTE: If Article I applies to the Applicant, the permanent compliance timeframe in Article I supersedes some five-year compliance timeframes in certifications 2 and 3 below.

# Page 4 of 13

- 2. The Disclosing Parly 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 Parly, any Contractor or any Affiliated Entity (collectively "Agents").

# Page 5 of 13

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

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

N/A

# Page 6 of 13

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

File #: SO2015-6429, Version: 1

the Disclosing Party certified to the above statements.

8. To the best ofthe Disclosing Party's knowledge after reasonable inquiry, the following is a complete list of all current employees of the Disclosing Party who were, at any time during the 12-month period preceding the execution date of this EDS, an employee, or elected or appointed official, of the City of Chicago (if none, indicate with "N/A" or "none").

N/A

9. To the best of the Disclosing Party's knowledge after reasonable inquiry, the following is a complete list of all gifts that the Disclosing Party has given or caused to be given, at any time during the 12-month period preceding the execution date of this EDS, to an employee, or elected or appointed official, of the City of Chicago. For purposes of this statement, a "gift" does not include: (i) anything made generally available to City employees or to the general public, or (ii) food or drink provided in the course of official City business and having a retail value of less than S20 per recipient (if none, indicate with "N/A" or "none"). As to any gift listed below, please also list the name of the City recipient.

N/A

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

- 1. The Disclosing Party certifies that the Disclosing Party (check one)
- 1. [] is [Xi 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):

N/A

Page 7 of 13

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

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

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

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

[JYes [^No

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

2. - U.nless.\_so.Id..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?

[JYes [JNo

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

Name Business Address Nature of Interest

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

#### E. CERTIFICATION REGARDING SLAVERY ERA BUSINESS

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

Page 8 of 13

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

X 1. The Disclosing Party verifies that the Disclosing Party has searched any and all records of the Disclosing Party and any and all predecessor entities regarding records of investments or profits from slavery or slaveholder insurance policies during the slavery era (including insurance policies issued to slaveholders that provided coverage for damage to or injury or death of their slaves), and the Disclosing Party has found no such records.

2. The Disclosing Party verifies that, as a result of conducting the search in step 1 above, the Disclosing Party has found records of investments or profits from slavery or slaveholder insurance policies. The Disclosing Party verifies that the following constitutes full disclosure of all such records, including the names of any and 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):

N/A

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

- 2. The Disclosing Party has not spent and will not expend any federally appropriated funds to pay any person or entity listed in Paragraph A.l. above for his or her lobbying activities or to pay any person or entity to influence or attempt to influence an officer or employee of any agency, as defined by applicable federal law, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress, in connection with the award of any federally funded contract, making any federally funded grant or loan, entering into any cooperative agreement, or lo extend, continue, renew, amend, or modify any federally funded contract, grant, loan, or cooperative agreement.
  - -Page 9 of 13-
- 3. The Disclosing Party will submit an updated certification at the end of each calendar quarter in which there occurs any event that materially affects the accuracy of the statements and information set forth in paragraphs A.l. and A.2. above.
- 4. The Disclosing Party certifies that either: (i) it is not an organization described in section 501(c)(4) of the Internal Revenue Code of 1986; or (ii) it is an organization described in section 501(c)(4) of the Internal Revenue Code of 1986 but has not engaged and will not engage in "Lobbying Activities".

File #: SO2015-642	File #: SO2015-6429, <b>Version</b> : 1			
substance to paragra Disclosing Party mu	osing Party is the Applicant, the Disclosing Party must obtain certifications equal in form and aphs A.l. through A.4. above from all subcontractors before it awards any subcontract and the ust maintain all such subcontractors' certifications for the duration of the Matter and must make such only available to the City upon request.			
B. CERTIFICATIO	N REGARDING EQUAL EMPLOYMENT OPPORTUNITY			
	rally funded, federal regulations require the Applicant and all proposed subcontractors to submit nation with their bids or in writing at the outset of negotiations.			
Is the Disclosing Pa	rty the Applicant?			
[]Yes	[]No <sub>N/A</sub>			
If "Yes," answer the	three.questions below:			
1. Have you do regulations? (See 41 []Yes []No	eveloped and do you have on file affirmative action programs pursuant to applicable federal CFR Part 60-2.)			
•	led with the Joint Reporting Committee, the Director of the Office of Federal Contract Compliance ual Employment Opportunity Commission all reports due under the applicable filing requirements?			
3. Have you pa opportunity clause?	articipated in any previous contracts or subcontracts subject to the equal			
[] Yes	[ ] No			
If you checked "No'	' to question 1. or 2. above, please provide an explanation:			

Page 10 of 13

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

The Disclosing Party understands and agrees that:

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

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

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

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

The Disclosing Party represents and warrants that:

#### Page 11 of 13

- F.l. The Disclosing Party is not delinquent in the payment of any tax administered by the Illinois Department of Revenue, nor are the Disclosing Party or ils 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 Matler 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

File #:	SO2015-6429,	Version:	1
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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.

#### CE RTIFI CAT I ON

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.

The Corbiere Trust
(Print or type name of Disclosing Party)
(Sign here'
(Print or type name of person signing)
3>,jLT'ns (Print or type title of person signing)
Signed and sworn to before me on (date) $^ft^? 2c > /£ > at/ Gountv$ , $/i \lor \& 0?SJ6Y$ (state).
Notary Public.
Commission expires:

# 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 Parly" 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.

File #: SO2015-6429, Version: 1
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"Applicable Party" means (1) all executive officers of the Disclosing Party listed in Section II.B.l.a., if the Disclosing Party is a corporation; all partners of the Disclosing Party, if the Disclosing Party is a general partnership; all general partners and limited partners of the Disclosing Party, if the Disclosing Party is a limited partnership; all managers, managing members and members of the Disclosing Party, if the Disclosing Party is a limited liability company; (2) all principal officers of the Disclosing Party; and (3) any person having more than a 7.5 percent ownership interest in the Disclosing Party. "Principal officers" means the president, chief operating officer, executive director, chief financial officer, treasurer or secretary of a legal entity or any person exercising similar authority.

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

[] Yes [] No

[JYes

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 cily official or department head to whom such person has a familial relationship, and (4) the precise nature of such familial relationship.

### Page 13 of 13

# CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT APPENDIX B

#### BUILDING CODE SCOFFLAW/PROBLEM LANDLORD CERTIFICATION

[JNo

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 (an "Owner"). It is not to be completed by any legal entity which has only an indirect ownership interest in the Applicant.

I. I	•	54-010, is the Applicant or any Owner identifies to Section 2-92-416 of the Municipal Code?	ed as a building code
	[JYes	[ JNo	
2.	If the Applicant is a lega!-entitypubli the Applicant identified as a building Municipal Code?	clytraded-0^^ g code scofflaw or problem landlord pursuan	t to Section 2-92-416 ofthe

3. If yes to (1) or (2) above, please identify below the name of the person or legal entity identified as a building code

[ J Not Applicable

File #:	SO2015-0	6429. <b>V</b>	ersion:	1
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scofflaw or problem landlord and the address of the building or buildings to which the pertinent code violations apply.

FILLING OUT THIS APPENDIX B CONSTITUTES ACKNOWLEDGMENT AND AGREEMENT THAT THIS APPENDIX B IS INCORPORATED BY REFERENCE INTO, AND MADE A PART OF, THE ASSOCIATED EDS, AND THAT THE REPRESENTATIONS MADE IN THIS APPENDIX B ARE SUBJECT TO THE CERTIFICATION MADE UNDER PENALTY OF PERJURY ON PAGE 12 OFTHE ASSOCIATED EDS.

# CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT

#### **SECTION I - GENERAL INFORM ATION**

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

**Sagittarius Investments Holdings Limited** 

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

Indicate whether the Disclosing Party submitting this EDS is:

- 1. [] the Applicant OR
- 2. [xl 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: ESSEX HOTEL OWNER, LLC OR
- 3. [] a legal entity with a right of control (see Section II.B.l.) State the legal name of the entity in which the Disclosing Party holds a right of control:

B. Business address of the Disclosing Party: Geneva Place, Waterfront Drive, P.O. Box 3469, Road Tow

Tortola, British Virgin Islands

File #: SO2015-6429, Version: 1				
C. <b>Telephone:</b> +44 1481 721374	Fax:	N/A	Email:	kelvin.hudson@saffery.gg
<pre><mailto:kelvin.hudson@saffery.gg></mailto:kelvin.hudson@saffery.gg></pre>				
D. Name of contact person: Kelvin Hudson		;		
E. Federal Employer Identification No. (if you l	have one): j \			
F. Brief description of contract, transaction of to which this EDS pertains. (Include project of APPLICATION FOR CLASS L PROPERTY DEVELOPMENT FOR PROPERTY LOCAL	number and lo	cation of TIVE AN	property, ID PLAN	, if applicable): NED
G. Which City agency or department is reque	esting this EDS	S? PLAN	NING A	ND DEVELOPMENT
If the M atter is a contract being handled complete the following:	d by the City'	s Departn	nent of P	rocurement Services, please
Specification #	and Co	ntract #		
Page 1 of 13				
SECTION II « DISCLOSURE OF OWNERSHI	P INTERESTS			
A. NATURE OF THE DISCLOSING PARTY				
<ol> <li>Indicate the nature of the Disclosing Party:</li> <li>Person</li> <li>Publicly registered business corporation</li> <li>Privately held business corporation</li> <li>Sole proprietorship</li> <li>General partnership</li> <li>Limited partnership</li> <li>Trust</li> </ol>	[] Yo [yj Other (ple	bility partnormality partnorma	ership ution coration als []]	
2. For legal entities, the state (or foreign count	try) of incorpora	tion or orga	nization, i	f applicable:
2. British Virgin Islands	-		_	1
3. For legal entities not organized in the State	of Illinois: Has t	he organiza	ition regist	ered to do

File #: SO2015-6429	ile #: SO2015-6429, <b>Version:</b> 1				
"business in the"	State W "				
[]Yes	_yJNo	[ ] N/A			
D IE THE DISCLA	OSING DADTVIS A LEGAL	ENTITY.			

#### 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-forprofit 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.

Title Name Saffery Limited and Champness Limited Corporate as Directors.

Individual Directors for both Saffery Limited and Champness Limited are Helen Foster Green, Lorna Mary O'Donnell, Philip James Radford, Ian Baden Powell, Mark William Le Ray, Kelvin Mark Hudson. Nicholas John Batiste, Lisa-Jayne Vizia, Allison Jayne Brouard

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

# Page 2 of 13

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

Name **Business Address** Percentage Interest in the **Disclosing Party** The Dolphin Trust 50% La Tonnelle House, Les Banques, St. Sampson, Guernsey, GY1 3HS 50% The Aquarius Trust

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

La Tonnelle House, Les Banques, St. Sampson, Guernsey, GY1 3HS

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?

[JYes yNo

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)

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

Relationship to Disclosing Party Fees (indicate whether paid or estimated.) NOTE:

| "hourly rate" or "t.b.d." is not an acceptable response.

(Add sheets if necessary)

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

**SECTION V -- CERTIFICATIONS** 

At COURT-ORDERED CHILD SUPPORT COMPLIANCE

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

File #:	SO2015-6429,	Version:	1
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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 Ixl 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 ofthe 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 1 supersedes some five-year compliance timeframes in certifications 2 and 3 below.

### Page 4 of 13

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

liable in a civil proceeding, or in any criminal or civil action, including actions concerning environmental violations, instituted by the City or by the federal government, any state, or any other unit of local government.

- 3. The certifications in subparts 3, 4 and 5 concern:
- the Disclosing Party;
- any "Contractor" (meaning any contractor or subcontractor used by the Disclosing Party in connection with the Matter, including but not limited to all persons or legal entities disclosed under Section IV, "Disclosure of Subcontractors and Other Retained Parties");
- any "Affiliated Entity" (meaning a person or entity that, directly or indirectly: controls the Disclosing Party, is controlled by the Disclosing Party, or is, with the Disclosing Party, under common control of another person or entity. Indicia of control include, without limitation: interlocking management or ownership; identity of interests among family members, shared facilities and equipment; common use of employees; or organization of a business entity following the ineligibility of a business entity to do business with federal or state or local government, including the City, using substantially the same management, ownership, or principals as the ineligible entity); with respect to .Contractors, the term Affiliated Entity means a person or entity that directly or indirectly controls the Contractor, is controlled by it, or, with the Contractor, is under common control of another person or entity;
- any responsible official of the Disclosing Party, any Contractor or any Affiliated Entity or any other official, agent or employee of the Disclosing Party, any Contractor or any Affiliated Entity, acting pursuant to the direction or authorization of a responsible official of the Disclosing Party, any Contractor or any Affiliated Entity (collectively "Agents").

#### Page 5 of 1-3

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

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

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-

"

File #:	SO2015-6429,	Version:	1
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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 ofthe 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 Universified 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:

N/A

# Page 6 of 13

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

8. To the best of the Disclosing Party's knowledge after reasonable inquiry, the following is a complete list of all current employees of the Disclosing Party who were, at any time during the 12-month period preceding the execution date of this EDS, an employee, or elected or appointed official, of the City of Chicago (if none, indicate with "N/A" or "none").

N/A

9. To the best of the Disclosing Party's knowledge after reasonable inquiry, the following is a complete list of all gifts that the Disclosing Party has given or caused to be given, at any time during the 12-month period preceding the execution date of this EDS, to an employee, or elected or appointed official, of the City of Chicago. For purposes of this statement, a "gift" does not include: (i) anything made generally available to City employees or to the general public, or (ii) food or drink provided in the course of official City business and having a retail value of less than \$20 per recipient (if none, indicate with "N/A" or "none"). As to any gift listed below, please also list the name of the City recipient.

MA

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

- 1. The Disclosing Party certifies that the Disclosing Party (check one)
- 1. [] is  $\pounds x]$  is not

File #:	SO2015-6429,	Version:	1
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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):

N/A

Page 7 of 13

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

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

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

1. In accordance with Section 2-156-1 10 of the Municipal Code: Does any official or employee of the City have a financial interest in his or her own name or in the name of any other person or entity in the Matter?

[]Yes & No

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

2. Unless so.ld 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

File #:	SO2015-0	6429. <b>V</b>	ersion:	1
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4. The Disclosing Party further certifies that no prohibited financial interest in the Matter will be acquired by any Cily official or employee.

#### E. CERTIFICATION REGARDING SLAVERY ERA BUSINESS

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

Page 8 of 13

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

- 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):

N/A

File #: SO2015-6429, Ve	rsion:
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(If no explanation appears or begins on the lines above, or if the letters "NA" or if the word "None" appear, it will be conclusively presumed that the Disclosing Party means that NO persons or entities registered under the Lobbying Disclosure Act of 1995 have made lobbying contacts on behalf of the Disclosing Party with respect to the Matter.)

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

Page 9 of 13

- 3. The Disclosing Party will submit an updated certification at the end of each calendar quarter in which there occurs any event that materially affects the accuracy of the statements and information set forth in paragraphs A.l. and A.2. above.
- 4. The Disclosing Party certifies that either: (i) it is not an organization described in section 501(c)(4) of the Internal Revenue Code of 1986; or (ii) it is an organization described in section 501(c)(4) of the Internal Revenue Code of 1986 but has not engaged and will not engage in "Lobbying Activities".
- 5. If the Disclosing Party is the Applicant, the Disclosing Party must obtain certifications equal in form and substance to paragraphs A.l. through A.4. above from all subcontractors before it awards any subcontract and the Disclosing Party must maintain all such subcontractors' certifications for the duration of the Matter and must make such certifications promptly available to the City upon request.

#### B. CERTIFICATION REGARDING EQUAL EMPLOYMENT OPPORTUNITY

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

Is the Disclosing Par	ty the Applicant?					
[] Yes	[ ] No N/A					
If "Yes," answer the	three questions below:					
1 Have you de	eveloped and do vou have o	n file affirmative	action programs	nursuant to	annlicable	fe

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:

Page 10 of 13

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

The Disclosing Party understands and agrees that:

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

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

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

The Disclosing Party represents and warrants that:

#### Page 11- of 13

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

NOTE: If the Disclosing Party cannot certify as to'any 6T th"e"items in F.T., F.2". "or "F.3: above", ah 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.

Sagittarius Investments Holdings Limited (Print or type name of Disclosing Party)

By:

(Sign here)

(Print or type name of person signing)

^/^C^b/
(Print or type title of person sighing)

File #: SO2015-6429, <b>V</b> e	sion: 1
Signed and sworn to bef Notary Public.	re me on (date) at/ $V^{^{\circ}}$ r Cotwtr $<^{^{\prime}}$ _r $^{^{\circ}}$ ) $^{^{\circ}}$ (slate).
Commission expires:	_
	CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT APPENDIX A
FAMILIAL REI	ATIONSHIPS WITH ELECTED CITY OFFICIALS AND DEPARTMENT HEADS
ownership interest in tl	e completed only by (a) the Applicant, and (b) any legal entity which has a direct Applicant exceeding 7.5 percent. It is not to be completed by any legal entity which has ip interest in the Applicant.
"Applicable Party" or an official or department he any "Applicable Party" of the city treasurer or any or adoption: parent, child	Section 2-154-015, the Disclosing Party must disclose whether such Disclosing Party or any Spouse or Domestic Partner thereof currently has a "familial relationship" with any elected city d. A "familial relationship" exists if, as of the date this EDS is signed, the Disclosing Party or any Spouse or Domestic Partner thereof is related to the mayor, any alderman, the city clerk, ty department head as spouse or domestic partner or as any of the following, whether by blood brother or sister, aunt or uncle, niece or nephew, grandparent, grandchild, father-in-law, motheter-in-law, stepfather or stepmother, stepson or stepdaughter, stepbrother or stepsister or half-
Party is a corporation; al partners and limited part managing members and principal officers of the libisclosing Party. "Principal officers of the libisclosing Party."	ans (1) all executive officers of the Disclosing Party listed in Section II.B.l.a., if the Disclosing partners of the Disclosing Party, if the Disclosing Party is a general partnership; all general ers of the Disclosing Party, if the Disclosing Party is a limited partnership; all managers, embers of the Disclosing Party, if the Disclosing Party is a limited liability company; (2) all isclosing Party; and (3) any person having more than a 7.5 percent ownership interest in the all officers" means the president, chief operating officer, executive director, chief financial ary of a legal entity or any person exercising similar authority.
_	rty or any "Applicable Party" or any Spouse or Domestic Partner thereof currently have a h 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.

# Page 13 of 13

# CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT APPENDIX B

#### BUILDING CODE SCOFFLAW/PROBLEM LANDLORD CERTIFICATION

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

y any legal entity which has only an in	direct ownership int	erest in the Applicant.
Pursuant to Municipal Code Section code scofflaw or problem landlord		oplicant or any Owner identified as a building 2-92-416 ofthe Municipal Code?
[]Yes	[ JNo	
		ny exchange, is any officer or director of the blem landlord pursuant to Section 2-92-416 of the
[JYes	[ JNo	[ J Not Applicable
3. If yes to (1) or (2) above, please ide identified as a building code scoffl which the pertinent code violations	law or problem landlo	of the person or legal entity ord and the address ofthe building or buildings to

FILLING OUT THIS APPENDIX B CONSTITUTES ACKNOWLEDGMENT AND AGREEMENT THAT THIS APPENDIX B IS INCORPORATED BY REFERENCE INTO, AND MADE A PART OF, THE ASSOCIATED EDS, AND THAT THE REPRESENTATIONS MADE IN THIS APPENDIX B ARE SUBJECT TO THE CERTIFICATION MADE UNDER PENALTY OF PERJURY ON PAGE 12 OF THE ASSOCIATED EDS.

CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT

File #: SO2015-6429, Version: 1	
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#### SECTION I -- GENERAL INFORMATION

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

The Aquarius Trust

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

Indicate whether the Disclosing Party submitting this EDS is:

- 1. [] the Applicant OR
- 2. ty] 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: ESSEX HOTEL OWNER, LLC OR
- 3. [] a legal entity with a right of control (see Section 11. B.l.) State the legal name of the entity in which the Disclosing Party holds a right of control:
- B. Business address of the Disclosing Party: La Tonnelle, Les Banques, St. Sampson, Guernsey GY1 3HS
- C. <u>Telephone: +44 1481 721374 Fax: N/A Email: kelvin.hudson@saffery.gg</u> <mailto:kelvin.hudson@saffery.gg>
- D. Name of contact person: Kelvin Hudson
- E. Federal Employer Identification No. (if you have one):
- F. Brief description of contract, transaction or other undertaking (referred to below as the "Matter") to which this EDS pertains. (Include project number and location of property, if applicable): APPLICATION FOR CLASS L PROPERTY TAX INCENTIVE AND PLANNED DEVELOPMENT FOR PROPERTY LOCATED AT 800 SOUTH MICHIGAN AVENUE

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

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

Specification # and Contract #

Page 1 of 13

File #: SO2015-6429, Version: 1	
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#### **SECTION II - DISCLOSURE OF OWNERSHIP INTERESTS**

#### A. NATURE OF THE DISCLOSING PARTY

ty:
[] 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)
untry) of incorporation or organization, if applicable:
~-
ate of Illinois: Has the organization registered to do 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 orentity that controls the day-to-day management of the Disclosing Party. NOTE: Each legal entity listed below must submit an EDS on its own behalf.

Name Title Rysaffe Trustee Company (C.I.) Limited Trustee

Individual Directors include: Helen Foster Green, Lorna Mary O'Donnell. Philip James Radford. Ian Baden Powell, Mark William Le Ray, Kelvin Mark Hudson, Nicholas John Batiste, Lisa-Jayne Vizia, Allison Jayne Brouard

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

Page 2 of 13

interest of a member or manager in a limited liability company, or interest of a beneficiary of a trust, estate or other similar entity. If none, state "None." NOTE: Pursuant to Section 2-154-030 of the Municipal Code of Chicago

("Municipal Code"), the City may require any such additional information from any applicant which is reasonably intended to achieve full disclosure.

Name Business Address Percentage Interest in the

**Disclosing Party** 

None

#### 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 y 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.

Page3-of-13-

Name (indicate whether Business Relationship to Disclosing Party Fees (indicate whether retained or anticipated Address (subcontractor, attorney, paid or estimated.) NOTE:

File #: SO2015-6429, V	ersion: 1		
to be retained)		lobbyist, etc.)	"hourly rate" or "t.b.d." is not an acceptable response.
(Add sheets if necessary			
y Check here if the	Disclosing	Party has not retained, nor expec	cts to retain, any such persons or entities
SECTION V - CERTI	FICATIO	NS	
A. COURT-ORDERE	D CHILD S	SUPPORT COMPLIANCE	<u>-</u>
Under Municipal Co	de Section	2-92-415, substantial owners of busines	ss entities that contract with
the City-must-remai	n-in compli	ance with-their-child support obligation	ns-throughout the contract's, term.
· -		irectly owns 10% or more of the Discle inois court of competent jurisdiction?	osing Party been declared in arrearage on any
[] Yes	[ ] No	j_ No person directly or indirectly Disclosing Party.	owns 10% or more of the
If "Yes," has the person compliance with that ag		o a court-approved agreement for paym	nent of all support owed and is the person in
[]Yes	[ ] No		
B. FURTHER CERTIF	FICATION	S	
1. Pursuant to Mun	icipal Code	Chapter 1-23, Article I ("Article I")(w	hich the Applicant should consult for defined

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 (n) the Applicant understands and acknowledges that compliance with Article I is a continuing requirement for doing business with the City. NOTE: If Article I applies to the Applicant, the permanent compliance timeframe in Article I supersedes some five-year compliance timeframes in certifications 2 and 3 below.

Page 4 of 13

2. The Disclosing Party and, if the Disclosing Party is a legal entity, all of those persons or entities identified in Section II.B. 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 Affdiated Entity or any other official, agent or employee of the Disclosing Party, any Contractor or any Affiliated Entity, acting pursuant to the direction or authorization of a responsible official of the Disclosing Party, any Contractor or any Affiliated Entity (collectively "Agents").

#### Page 5 of 13

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

- a. bribed or attempted to bribe, or been convicted or adjudged guilty of bribery or attempting to bribe, a public officer or employee of the City, the Slate of Illinois, or any agency of the federal government or of any slate or local government in the United States of America, in that officer's or employee's official capacity;
- 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 "pToVisiohs" of Municipal "Cdde~SectioTr2-92" 6" r07Eivin^Wage 0" rdin nce"):~
- 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 slate 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:

N/A

#### Page 6 of 13

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

8. To the best ofthe Disclosing Party's knowledge after reasonable inquiry, the following is a complete list of all current employees of the Disclosing Party who were, at any time during the 12-month period preceding the execution date of this EDS, an employee, or elected or appointed official, of the City of Chicago (if none, indicate with "N/A" or "none").

N/A

File #:	SO2015-6429,	Version:	1
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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.

#### 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):

N/A

Page 7 of 1-3

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 fed No

File #:	SO2015-6429,	Version:	1
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NOTE: If you checked. "Yes" to Item D.L, proceed to Items D.2. and D.3. If you checked "No" to Item D.l., proceed to Part E.

2. U nless 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

Page 8 of 13

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

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

N/A

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

- 2. The Disclosing Party has not spent and will not expend any federally appropriated funds to pay any person or entity listed in Paragraph A. 1. above for his or her lobbying activities or to pay any person or entity to influence or attempt to influence an officer or employee of any agency, as defined by applicable federal law, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress, in connection with the award of any federally funded contract, making any federally funded grant or loan, entering into any cooperative agreement, or to extend, continue, renew, amend, or modify any federally funded contract, grant, loan, or cooperative agreement.
  - Page 9 of 13
- 3. The Disclosing Party will submit an updated certification at the end of each calendar quarter in which there occurs any event that materially affects the accuracy of the statements and information set forth in paragraphs A.l. and A.2. above.
- 4. The Disclosing Party certifies that either: (i) it is not an organization described in section 501(c)(4) of the Internal Revenue Code of 1986; or (ii) it is an organization described in section 501(c)(4) of the Internal Revenue Code of 1986 but has not engaged and will not engage in "Lobbying Activities".
- 5. If the Disclosing Party is the Applicant, the Disclosing Party must obtain certifications equal in form and substance to paragraphs A.l. through A.4. above from all subcontractors before it awards any subcontract and the Disclosing Party must maintain all such subcontractors' certifications for the duration of the Matter and must make such certifications promptly available to the City upon request.

#### B. CERTIFICATION REGARDING EQUAL EMPLOYMENT OPPORTUNITY

File #: SO2015-642	29, Version: 1		
If the Matter is federally funded, federal regulations require the Applicant and ah.proposed subcontractors to submit the following information with their bids'or in writing a I the outset of negotiations.			
Is the Disclosing Pa	arty the Applicant?		
[] Yes	[ ] No N/A		
If "Yes," answer th	e three questions below:		
1. Have you of regulations? (See 4	•	on file affirmative action programs pursuant to applicable federal	
•		ommittee, the Director of the Office of Federal Contract Compliance Commission all reports due under the applicable filing requirements?	
3. Have you p	participated in any previous cont	tracts or subcontracts subject to the equal	

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

Page 10 of 13

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

The Disclosing Party understands and agrees lhat:

opportunity clause? []Yes [JNo

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

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

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

The Disclosing Party represents and warrants that:

### Page IT of 13

- F. 1. The Disclosing Parly 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 Cily. 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 ofthe 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.

The Aquarius Trust
(Print or type name of Disclosing Party)
(Sign here

By:

(Print or type name of person signing)

*J>£L££D>/L* (Print or type title of person signing)

Signed and sworn to before me on (dale) S fo^^ at 9?MT Cowtr; (state).

Notary Public.

Commission expires:

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

File #: SO2015-6429, <b>Ve</b> r	sion: 1		
_	arty or any "Applicable Party" or any h an elected city official or departmen	Spouse or Domestic Partner thereof currently have a nt head?	
[] Yes	[ ] No		
is connected; (3) the name	· · · · · · · · · · · · · · · · · · ·	erson, (2) the name of the legal entity to which such per or department head to whom such person has a familial ship.	rson
	Page 13 of-	-13	
		OMIC DISCLOSURE STATEMENT AND AFFIDAVIT	
RUILDING COL	DE SCOFFLAW/PROBLEM LANI		
DOILDING COL	VE SCOTTER W/T ROBLEM EARN	PLOND CERTIFICATION	
ownership interest in the		plicant, and (b) any legal entity which has a direct an "Owner"). It is not to be completed by any legal Applicant.	
	cipal Code Section 2-154-010, is the American landlord pursuant to Section 2-92-	Applicant or any Owner identified as a building code 416 of the Municipal Code?	
[] Yes	[ ]No		
		any exchange, is any officer or director of the Appli ord pursuant to Section 2-92-416 of the Municipal Cod	
[]Yes	[ ]No	[] Not Applicable	
		ne of the person or legal entity identified as a building or diding or buildings to which the pertinent code violation	

FILLING OUT THIS APPENDIX B CONSTITUTES ACKNOWLEDGMENT AND AGREEMENT THAT THIS APPENDIX B IS INCORPORATED BY REFERENCE INTO, AND MADE A PART OF,

THE ASSOCIATED EDS, AND THAT THE REPRESENTATIONS MADE IN THIS APPENDIX B ARE SUBJECT TO THE CERTIFICATION MADE UNDER PENALTY OF PERJURY ON PAGE 12 OF THE ASSOCIATED EDS.

# 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:

**QUADRUM ATLANTIC SPC** 

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

Indicate whether the Disclosing Party submitting this EDS is:

- 1. [] the Applicant
  - OR
- 2. [xl 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: ESSEX HOTEL OWNER, LLC OR
- 3. [] a legal entity with a right of control (see Section II.B.l.) State the legal name of the entity in which the Disclosing Party holds a right of control:
- B. Business address of the Disclosing Party: 190 ELGIN AVENUE, GEORGE TOWN,
  GRAND CAYMAN, KY 19005, CAYMAN ISLANDS
- C. Telephone: +44 2035000781 Fax: N\_A Email: akavkin@quadrumglobal.com <mailto:akavkin@quadrumglobal.com>
- D. Name of contact person: ALEXANDER KAVKIN
- E. Federal Employer Identification No. (if you have one):
- F. Brief description of contract, transaction or other undertaking (referred to below as the "Matter") to which this EDS pertains. (Include project number and location of property, if applicable):

File #: SO2015-6429, Version: 1	
APPLICATION FOR CLASS L PROPER FOR PROPERTY LOCATED AT 800 SO	RTY TAX INCENTIVE AND PLANNED DEVELOPMENT OUTH MICHIGAN AVENUE
G. Which City agency or department is re	equesting this EDS? PLANNING AND DEVELOPMENT
If the Matter is a contract being han complete the following:	dled by the City's Department of Procurement Services, please
Specification #	and Contract #
Page 1 of 13	
SECTION II - DISCLOSURE OF OWNERS	SHIP INTERESTS
A. NATURE OF THE DISCLOSING PARTY	
1. Indicate the nature of the Disclosing Par	·
Publicly registered business corporation	[] Limited liability company [] Limited liability partnership
J Privately held business corporation	[] Joint venture
Sole proprietorship	[] Not-for-profit corporation
General partnership	(Is the not-for-profit corporation also a 501(c)(3))? [] Yes [JNo
] Limited partnership ] Trust	Other (please specify)
2. For legal entities, the s	tate (or foreign country) of incorporation or organization, if applicable:
3. For legal entities not organized in the Sta business in the State of Illinois as a foreign e	te of Illinois: Has the organization registered to do

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

|>q No

[] Yes

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).

[] N/A

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.

		_
File #: SO2015-6429, Version: 1		
Name Title IL'/ftS PtS-frW	1>\RECTOR,	
tiMCE xmvAss	~ma£QTCi^	

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

Page 2 of 13

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

Name Business Address Percentage Interest in the Disclosing Party

V.O. YjO)C SHfig . gflM) TOWN ^ TOv^TOLft  $\mid$  fe£\T\SH \i\g.^UA

• SrVslTThfrAVSS ttWESTTVEWTS HOUSINGS UVUIED y^EH^ft 9U\c.\_t Vv>rVTER.tRQNT WWfc

°,Q.^0X ft-fift TQVMN ,T^RTOLft Kvt\T\SH \SIMPS | 50%

#### 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?

| 50%

[] Yes IX! No

If yes, please identify below the name(s) of such City elected offlcial(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

File #: SO2015-6429, Version: 1
any person or entity any part of whose duties as an employee of another includes undertaking to influence any legislative or administrative action.
If the Disclosing Party is uncertain whether a disclosure is required under this Section, the Disclosing Party must either ask the City whether disclosure is required or make the disclosure.
Page 3 of 13
Name (indicate whether Business retained or anticipated Address to be retained) 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.
(Add sheets if necessary)  Check here if the Disclosing Party has not retained, nor expects to retain, any such persons or entiti
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 3 0% or more ofthe Disclosing Party been declared in arrearage on any child support obligations by any Illinois court of competent jurisdiction?
[] Yes [] No fyQ 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

# В

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

File	#:	SO201	5-6429.	Version:	1
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understands and acknowledges that compliance with Article I is a continuing requirement for doing business with the City. NOTE: If Article I applies to the Applicant, the permanent compliance timeframe in Article I supersedes some five-year compliance timeframes in certifications 2 and 3 below.

#### Page 4 of 13

- 2. The Disclosing Party and, if the Disclosing Party is a legal entity, all of those persons or entities identified in Section II.B.l. of this EDS:
  - a. are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from any transactions by any federal, state or local unit of government;
  - b. have not, within a five-year period preceding the date of this EDS, been convicted of a criminal offense, adjudged guilty, or had a civil judgment rendered against them in connection with: obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under a public transaction; a violation of federal or state antitrust statutes; fraud; embezzlement; theft; forgery; bribery; falsification or destruction of records; making false statements; or receiving stolen property;
  - c. are not presently indicted for, or criminally or civilly charged by, a governmental entity (federal, state or local) with committing any ofthe 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 of local government, including the City, using substantially the same management, ownership, or principals as the ineligible entity); with respect to Contractors, the term Affiliated Entity means a person or entity that directly or indirectly controls the Contractor, is controlled by it, or, with the Contractor, is under common control of another person or entity;
  - any responsible official of the Disclosing Party, any Contractor or any Affiliated Entity or any other official, agent or employee of the Disclosing Party, any Contractor or any Affiliated Entity, acting pursuant to the direction or authorization of a responsible official of the Disclosing Party, any Contractor or any Affiliated Entity (collectively "Agents").

#### Page 5 of 13

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

- a. bribed or attempted to bribe, or been convicted or adjudged guilty of bribery or attempting to bribe, a public officer or employee ofthe City, the State of Illinois, or any agency ofthe 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 ofthe 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 io any of the above statements in this Part B (Further Certifications), the Disclosing Party must explain below:

VI

#### Page 6 of 13

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

8. To the best of the Disclosing Party's knowledge after reasonable inquiry, the following is a complete list of all current employees of the Disclosing Party who were, at any time during the 12-month period preceding the execution

date of this EDS, an employee, or elected or appointed official, of the City of Chicago (if none, indicate with "N/A" or "none").

 $U]r\setminus$ 

9. To the best ofthe Disclosing Parly'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.

 $N/F\setminus$ 

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

- 1. The Disclosing Party certifies that the Disclosing Party (check one)
- 1. [] is fX] 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<sub>r</sub>455(b) of the Municipal Code) is a predatory lender within the meaning of Chapter 2-32 of the Municipal Code, explain here (attach additional pages if necessary):

Page 7 of 13

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

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

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

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

File #: SO2015-6429, Ve	rsion: 1		
[] Yes	>3 No		
NOTE: If you-ehecked Item D.l., proceed to Part	"Yes" to-Item D.l., proceed to E.	o Items D.2. and D.3.	If-you.checked."No" to
employee shall have a fin purchase of any property legal process at the suit of	ancial interest in his or her ow that (i) belongs to the City, or	vn name or in the name (ii) is sold for taxes or Property Sale"). Compe	permitted, no City elected official or of any other person or entity in the assessments, or (iii) is sold by virtue of ensation for property taken pursuant to the meaning of this Part D.
Does the Matter involve a	a City Property Sale?		
[] Yes '	[ ] No		
•	es" to Item D.l., provide the nature		resses of the City officials or
Name	Business Address	Nature of In	terest
4. The Disclosing Par City official or employee.	-	rohibited financial inte	rest in the Matter will be acquired by any
E. CERTIFICATION RE	GARDING SLAVERY ERA	BUSINESS	
	S all information required by p	paragraph 2. Failure to	Disclosing Party must disclose below or in
	]	Page 8 of 13	
comply with these disclos Matter voidable by the C	-	any contract entered into	o with the City in connection with the

X 1 • The Disclosing Party verifies that the Disclosing Party has searched any and all records of the Disclosing Party and any and all predecessor entities regarding records of investments or profits from slavery or slaveholder insurance policies during the slavery era (including insurance policies issued to slaveholders that provided coverage for damage to

or injury or death of their slaves), and the Disclosing Party has found no such records.

2. The Disclosing Party verifies that, as a result of conducting the search in step 1 above, the Disclosing Party has found records of investments or profits from slavery or slaveholder insurance policies. The Disclosing Party verifies that the following constitutes full disclosure of all such records, including the names of any and all slaves or slaveholders described in those records:

File #: SO2015-6429, Version: 1

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

NOTE: If the Matter is federally funded, complete this Section VI. If the Matter is not federally funded, proceed to Section VII. For purposes of this Section VI, tax credits allocated by the City and proceeds of debt obligations of the City 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 ofthe Disclosing Party with respect to the Matter: (Add sheets if necessary):

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

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

Page 9 of 13

- 3. The Disclosing Party will submit an updated certification at the end of each calendar quarter in which there occurs any event that materially affects the accuracy of the statements and information set forth in paragraphs A.l. and A.2. above.
- 4. The Disclosing Party certifies that either: (i) it is not an organization described in section 501(c)(4) of the Internal Revenue Code of 1986; or (ii) it is an organization described in section 501(c)(4) of the Internal Revenue Code of 1986 but has not engaged and will not engage in "Lobbying Activities".
- 5. If the Disclosing Party is the Applicant, the Disclosing Party must obtain certifications equal in form and substance to paragraphs A.l. through A.4. above from all subcontractors before it awards any subcontract and the Disclosing Party must maintain all such subcontractors' certifications'for the duration of the Matter and must make such certifications promptly available to the City upon request.

#### B. CERTIFICATION REGARDING EQUAL EMPLOYMENT OPPORTUNITY"

If the Matter is federally funded, federal regulations require the Applicant and all proposed subcontractors to submit the following information w^tIi"ih^r"bTds"cTm negotiations.

of" '

Is the Disclosing Party die Applicant?

File #: SO2015-64	429, <b>Version:</b> 1	
[JYes	[]No Hjft	
If "Yes," answer to	he three questions below:	
•	developed and do you l 41 CFR Part 60-2.) []No	have on file affirmative action programs pursuant to applicable federa
•	•	ing Committee, the Director of the Office of Federal Contract Compliance unity Commission all reports due under the applicable filing requirements?
3. Have you p clause?	participated in any previou	is contracts or subcontracts subject to the equal opportunity

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

#### Page 10 of 13

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

The Disclosing Party understands and agrees that:

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

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

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

- D. It is the City's policy to make this document available to the public on its Internet site and/or upon request. Some or all of the information provided on this EDS and any attachments to this EDS may be made available to the public on the Internet, in response to a Freedom of Information Act request, or otherwise. By completing and signing this EDS, the Disclosing Party waives and releases any possible rights or claims which it may have against the City in connection with the public release of information contained in this EDS and also authorizes the City to verify the accuracy of any information submitted in this EDS.
- E. The information provided in this EDS must be kept current. In the event of changes, the Disclosing Party must supplement this EDS up to the time the City takes action on the Matter. If the Matter is a contract being handled by the City's Department of Procurement Services, the Disclosing Party must update this EDS as the contract requires. NOTE: With respect to Matters subject to Article I of Chapter 1-23 of the Municipal Code (imposing PERMANENT INELIGIBILITY for certain specified offenses), the information provided herein regarding eligibility must be kept current for a longer period, as required by Chapter 1-23 and Section 2-154-020 of the Municipal Code.

The Disclosing Party represents and warrants that:

#### Page 11 of 13

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

CERTIFICATION~~"~""

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

OA) fry PA) W\ FVt Lft MT \ G
(Print or type^a^iej^Disclosing Party)
(Sign here)

S\_\_

^ipyVV ■

(Print or type name of person signing)

C\fISC.ved.

(Print or type title of person signing)

File #: SO2015-6429, Version: 1

<u>Commission expires:</u> Oct l&AM

[]Yes

j WENDY YiJK V.'Ar! SYMON - NOTARY PUBLIC i SFdwarri Yoinj» Limited Notary Public London

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

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

If vec	nleace	identify	helow	(1) the	name	and	title of	Fench	nercon	(2) th	ne r	ame

[] 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.

File #: SO2015-6429, Version: 1

Page 13 of 13

#### CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT APPENDLX B

#### BUILDING CODE SCOFFLAW/PROBLEM LANDLORD CERTIFICATION

ow en

	* *	eeding 7.5 percent (a)	nealit, and (b) any legal entity which has a direct in "Owner"). It is not to be completed by any legal pplicant.
1.	Pursuant to Municipal Code Section scofflaw or problem landlord pursu		plicant or any Owner identified as a building code 6 of the Municipal Code?
	[]Yes	[ ]No	
2.			ny exchange, is any officer or director of the Applicant d pursuant to Section 2-92-416 ofthe Municipal Code?
	[]Yes	[ ]No	[] Not Applicable
3.			of the person or legal entity identified as a building code ling or buildings to which the pertinent code violations
	THAT THIS APPENDIX B IS IN THE ASSOCIATED EDS, AND	NCORPORATED BY THAT THE REPRE	S ACKNOWLEDGMENT AND AGREEMENT OF REFERENCE INTO, AND MADE A PART OF, SENTATIONS MADE IN THIS APPENDIX B UNDER PENALTY OF PERJURY ON PAGE 12

**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:

File #: SO2015-6429, Version: 1	
Quadrum US Corp	
Check ONE of the following three boxes:	
Indicate whether the Disclosing Party submitting this EDS  1. [] the Applicant  OR	S is:
<ul><li>2. [xl a legal entity holding a direct or indirect inter</li><li>2. Applicant in which the Disclosing Party holds an OR</li></ul>	
3. [] a legal entity with a right of control (see Section which the Disclosing Party holds a right of control:	II.B.l.) State the legal name of the entity in
8 .	eentree Drive, Suite 101 OVER, DE 19904
C. Telephone: +44 207 971 7800 Fax: +44 20 <mailto:iasiam@quadrumglobal.com></mailto:iasiam@quadrumglobal.com>	7 971 7830 Email: iasiam@quadrumglobal.com
D. Name of contact person: llyas Aslam	,
E. Federal Employer Identification No. (if you have one):	1
F. Brief description of contract, transaction or other unwhich this EDS pertains. (Include project number and APPLICATION FOR CLASS L PROPERTY TAX IN FOR PROPERTY LOCATED AT 800 SOUTH MICH	location of property, if applicable): CENTIVE AND PLANNED DEVELOPMENT
G. Which City agency or department is requesting this	EDS? PLANNING AND DEVELOPMENT
If the Matter is a contract being handled by the complete the following:	City's Department of Procurement Services, please
Specification # an	nd Contract #

Page 1 of 13

#### SECTION II - DISCLOSURE OF OWNERSHIP INTERESTS

A. NATURE OF THE DISCLOSING PARTY

File #: SO2015-6429,	Version: 1	
Indicate the na     Person	nture of the Disclosing P	
[ ] Publicly registered partnership [ ] Limited		Privately held business corporation [ ] Sole proprietorship [ ] General
2. For legal entiti	ies, the state (or foreign i	i I
Delaware		
ty:		
[] Limited liability of [] Limited liability p		
[] Joint venture	barthership	
[] Not-for-profit corp	poration	
•	corporation also a 501(c	9(3))?
[JYes [JNo [	] Other (please specify)	
ry) of incorporation	on or organization, if app	licable:
3. For legal entiti State of Illinois as a fo	_	tate of Illinois: Has the organization registered to do business in the
[] Yes	xl No	[ ] N/A
B. IF THE DISCLOS	ING PARTY IS A LEGA	AL ENTITY:
profit corporations, al	so list below all member	all executive officers and all directors of the entity. NOTE: For not-for-rs,.if any, which are legal entities. If there are no such members, write "no entities, list below the legal titleholder(s).
If the entity is a ge venture, list below the	e name and title of each good-day management of the	d partnership, limited liability company, limited liability partnership or join general partner, managing member, manager or any other person or entity the Disclosing Party. NOTE: Each legal entity listed below must submit an
		Title
		President
Ilyas Aslam		Director

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

File #: SO2015-6429, Version: 1

corporation, partnership interest in a partnership or joint venture,

Page 2 of 13

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

Name

**Business Address** 

Percentage Interest in the Disclosing Party

Quadrum Global Management Limited

Roseneath, The Grange, St Peter Port, Guernsey GY1 3SJ

100% interest in the Disclosing Party

#### 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 y 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.

File #: SO2015-6429, Ve	rsion: 1		
		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.
(Add sheets if necessary)  Ixl Check here if the		arty has not retained, nor expects	to retain, any such persons or entities.
SECTION V - CERTIF	ICATIONS		
A. COURT-ORDERED	CHILD SUPP	ORT COMPLIANCE -	
•		-415, substantial owners of business e apport obligations-throughout-the con-	ntities that contract with the City must tract's-term.
* *	•	ly owns 10% or more of the Disclosin court of competent jurisdiction?	g Party been declared in arrearage on any
[]Yes []	No (	x) No person directly or indirectly ow Disclosing Party.	ns 10% or more of the
If "Yes," has the person of	entered into a c	ourt-approved agreement for payment	of all support owed and is the person in

#### B. FURTHER CERTIFICATIONS

[] No

compliance with that agreement?

[]Yes

I. Pursuant to Municipal Code Chapter 1-23, Article I ("Article I")(which the Applicant should consult for defined terms (e.g., "doing business") and legal requirements), if the Disclosing Party submitting this EDS is the Applicant and is doing business with the City, then the Disclosing Party certifies as follows: (i) neither the Applicant nor any controlling person is currently indicted or charged with, or has admitted guilt of, or has ever been convicted of, or placed under supervision for, any criminal offense involving actual, attempted, or conspiracy to commit bribery, theft, fraud, forgery, perjury, dishonesty or deceit against an officer or employee of the City or any sister agency; and (ii) the Applicant understands and acknowledges that compliance with Article I is a continuing requirement for doing business with the City. NOTE: If Article I applies to the Applicant, the permanent compliance timeframe in Article I supersedes some five-year compliance timeframes in certifications 2 and 3 below.

#### Page 4 of 13

- 2. The Disclosing Party and, if the Disclosing Party is a legal entity, all of those persons or entities identified in Section II.B.l. of this EDS:
  - a. are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from any transactions by any federal, state or local unit of government;
  - b. have not, within a five-year period preceding the date of this EDS, been convicted of a criminal offense, adjudged guilty, or had a civil judgment rendered against them in connection with: obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under a public transaction; a violation of federal or state antitrust statutes; fraud; embezzlement; theft; forgery; bribery; falsification or destruction of records; making false statements; or receiving stolen property;
  - c. are not presently indicted for, or criminally or civilly charged by, a governmental entity (federal, state or local) with committing any of the offenses set forth in clause B.2.b. of this Section V;
  - d. have not, within a five-year period preceding the date of this EDS, had one or more public transactions (federal, state or local) terminated for cause or default; and
  - e. have not, within a five-year period preceding the date of this EDS, been convicted, adjudged guilty, or found liable in a civil proceeding, or in any criminal or civil action, including actions concerning environmental violations, instituted by the City or by the federal government, any state, or any other unit of local government.
  - 3. The certifications in subparts 3, 4 and 5 concern:
  - the Disclosing Party;
  - any "Contractor" (meaning any contractor or subcontractor used by the Disclosing Party in connection with the Matter, including but not limited to all persons or legal entities disclosed under Section IV, "Disclosure of Subcontractors and Other Retained Parties");
  - any "Affiliated Entity" (meaning a person or entity that, directly or indirectly: controls the Disclosing Party, is controlled by the Disclosing Party, or is, with the Disclosing Party, under common.control of another person or entity. Indicia of control include, without limitation: interlocking management or ownership; identity of interests among family members, shared facilities and equipment; common use of employees; or organization of a business entity following the ineligibility of a business entity to do business with federal or state or local government, including the City, using substantially the same management, ownership, or principals as the ineligible entity); with respect to Contractors, the term Affiliated Entity means a person or entity that directly or indirectly controls the Contractor, is controlled by it, or, with the Contractor, is under common control of another person or entity;
  - any responsible official of the Disclosing Party, any Contractor or any Affiliated Entity or any other official, agent or employee of the Disclosing Party, any Contractor or any Affiliated Entity, acting pursuant to the direction or authorization of a responsible official of the Disclosing Party, any Contractor or any Affiliated Entity (collectively "Agents").

#### Page 5-of 13

Neither the Disclosing Party, nor any Contractor, nor any Affiliated Entity of cither the Disclosing Party or any Contractor nor any Agents have, during the five years before the date this EDS is signed, or, with respect to a Contractor,

an Affiliated Entity, or an Affiliated Entity of a Contractor during the five years before the date of such Contractor's or Affiliated Entity's contract or engagement in connection with the Matter:

- a. bribed or attempted to bribe, or been convicted or adjudged guilty of bribery or attempting to bribe, a public officer or employee of the City, the State of Illinois, or any agency of the federal government or of any state or local government in the United States of America, in that officer's or employee's official capacity;
- agreed or colluded with other bidders or prospective bidders, or been a party to any such agreement, or been convicted or adjudged guilty of agreement or collusion among bidders or prospective bidders, in restraint of freedom of competition by agreement to bid a fixed price or otherwise; or
- c. made an admission of such conduct described in a. or b. above that is a matter of record, but have not been prosecuted for such conduct; or
- d. violated the provisions of Municipal Code Section 2-92-610 (Living Wage Ordinance).
- 4. Neither the Disclosing Party, Affiliated Entity or Contractor, or any of their employees, officials, agents or partners, is barred from contracting with any unit of state or local government as a result of engaging in or being convicted of (1) bid-rigging in violation of 720 ILCS 5/33E-3; (2) bid-rotating in violation of 720 ILCS 5/33E-4; or (3) any similar offense of any state or ofthe 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:

N/A

#### Page 6 of 13

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

8. To the best of the Disclosing Party's knowledge after reasonable inquiry, the following is complete list of all current employees of the Disclosing Party who were, at any lime during the 12-month period preceding the execution date of this EDS, an employee, or elected or appointed official, of the City of Chicago (if none, indicate with "N/A" or "none").

File #	t: SC	2015-6	429. <b>\</b>	ersion:	1
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N/A

9. To the best of the Disclosing Party's knowledge after reasonable inquiry, the following is a complete list of all gifts that the Disclosing Party has given or caused to be given, at any time during the 12-month period preceding the execution date of this EDS, to an employee, or elected or appointed official, of the City of Chicago. For purposes of this statement, a "gift" does not include: (i) anything made generally available to City employees or to the general public, or (ii) food or drink provided in the course of official City business and having a retail value of less than \$20 per recipient (if none, indicate with "N/A" or "none"). As to any gift listed below, please also list the name of the City recipient.

N/A

#### 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):

Page.-7of-.13 <a href="http://Page.-7of-.13">http://Page.-7of-.13</a>

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

#### 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?

File #:	SO2015-6429,	Version:	1
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[JYes (yJNo

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

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

Does the Matter involve a City Property Sale?

[JYes [JNo

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

Name Business Address • Nature of Interest

4. The Disclosing Party further certifies that no prohibited financial interest in the Matter will oe acquireu oy any «^uy oniciai or employee.

#### E. CERTIFICATION REGARDING SLAVERY ERA BUSINESS

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

Page 8 of 13

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

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

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

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

#### A. CERTIFICATION REGARDING LOBBYING

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

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

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

- 3. The Disclosing Party will submit an updated certification at the end of each calendar quarter in which there occurs any event that materially affects the accuracy of the statements and information set forth in paragraphs A.l. and A.2. above.
- 4. The Disclosing Party certifies that either: (i) it is not an organization described in section 501(c)(4) of the Internal Revenue Code of 1986; or (ii) it is an organization described in section 501 (c)(4) of the Internal Revenue Code of 1986 but has not engaged and will not engage in "Lobbying Activities".
- 5. If the Disclosing Party is the Applicant, the Disclosing Party must obtain certifications equal in form and substance to paragraphs A.l. through A.4. above from all subcontractors before it awards any subcontract and the Disclosing Party must maintain all such subcontractors' certifications for the duration of the Matter and must make such certifications promptly available to the City upon request.

#### B. CERTIFICATION REGARDING EQUAL EMPLOYMENT OPPORTUNITY

File #: SO2015-	-6429, <b>Version:</b> 1			
		federal regulations require the cir bids or in writing at the c	ne Applicant and all proposed subutset of negotiations.	abcontractors to submit
Is the Disclosing	g Party the Applic	cant?		
[] Yes	[]	No		
If "Yes," answer	r the three question	ons below:		
	ee 41 CFR Part 60-	•	firmative action programs pur	rsuant to applicable federal
•	e Equal Employme		he Director of the Office of Fed n all reports due under the appli	•
3. Have yo opportunity clau	ise?	any previous contracts or sub	becontracts subject to the equal	
If you checked '	'No" to question 1	1. or 2. above, please provide	e an explanation:	
		Page 10 of		
SECTION	VII	ACKNOWLEDGMEN	TS, CONTRACT	INCORPORATION

The Disclosing Party understands and agrees that:

COMPLIANCE, PENALTIES, DISCLOSURE

- 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.orK/Efhics <a href="http://www.cityofchicago.orK/Efhics">http://www.cityofchicago.orK/Efhics</a>, and may also be obtained from the City's Board of Ethics, 740 N.

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

C. If the City determines that any information provided in this EDS is false, incomplete or inaccurate, any contract or

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

- D. It is the City's policy to make this document available to the public on its Internet site and/or upon request. Some or all of the information provided on this EDS and any attachments to this EDS may be made available to the public on the Internet, in response to a Freedom of Information Act request, or otherwise. By completing and signing this EDS, the Disclosing Party waives and releases any possible rights or claims which it may have against the City in connection with the public release of information contained in this EDS and also authorizes the City to verify the accuracy of any information submitted in this EDS.
- E. The information provided in this EDS must be kept current. In the event of changes, the Disclosing Party must supplement this EDS up to the time the City takes action on the Matter. If the Matter is a contract being handled by the City's Department of Procurement Services, the Disclosing Party must update this EDS as the contract requires. NOTE: With respect to Matters subject to Article I of Chapter 1-23 of the Municipal Code (imposing PERMANENT INELIGIBILITY for certain specified offenses), the information provided herein regarding eligibility must be kept current for a longer period, as required by Chapter 1-23 and Section 2-154-020 of the Municipal Code.

The Disclosing Party represents and warrants that:

#### -Page 11-of 13

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

#### Quadrum US Corp

ile #: SO2015-6429, <b>Version:</b> 1
(Sign here)
Print or type name of person signing)
Qs<^cTo9
Print or type title of person signing)
Commission expires: Of* b'&A'Ttf
WIENDY YUK WAH SYMON , NOTARY PUBLIC Edward Young Limited Notary Public London 9 Carlo: Place London WiK 3A United Kingdom
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 ofthe following, whether by blood or adoption: parent, child, brother or sister, aunt or uncle, niece or nephew, grandparent, grandchild, father-in-law, mother -in-law, son-in-law, daughter-in-law, stepfather or stepmother, stepson or stepdaughter, stepbrother or stepsister or half-brother or half-sister.

"Applicable Party" means (1) all executive officers of the Disclosing Party listed in Section II.B.l.a., if the Disclosing Party is a corporation; all partners of the Disclosing Party, if the Disclosing Party is a general partnership; all general partners and limited partners of the Disclosing Party, if the Disclosing Party is a limited partnership; all managers, managing members and members ofthe 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 Par	ty" or any Spouse or Domestic Partner thereof currently have a
"familial relationship" with an elected city official or	department head?

[] Yes	[] No
	[]1"

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.

File #:	SO2015-6429.	Version:	1
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N/A

#### Page 13 of 13

# CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT APPENDIX B

#### BUILDING CODE SCOFFLAW/PROBLEM LANDLORD CERTIFICATION

Tliis 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 (an "Owner"). It is not to be completed by any legal entity which has only an indirect ownership interest in the Applicant.

tity which has only an indire	ct ownership interest in the	Applicant.	
-	de Section 2-154-010, is the A lord pursuant to Section 2-92-	pplicant or any Owner identified as a l 416 ofthe Municipal Code?	building code
[]Yes	[ ]No		
		any exchange, is any officer-or directord pursuant to Section 2-92-416 of the	
[] Yes	[ ]No	[] Not Applicable	
	-	e of the person or legal entity dlord and the address ofthe building o	or buildings to which

FILLING OUT THIS APPENDIX B CONSTITUTES ACKNOWLEDGMENT AND AGREEMENT THAT THIS APPENDIX B IS INCORPORATED BY REFERENCE INTO, AND MADE A PART OF, THE ASSOCIATED EDS, AND THAT THE REPRESENTATIONS MADE IN THIS APPENDIX B ARE SUBJECT TO THE CERTIFICATION MADE UNDER PENALTY OF PERJURY ON PAGE 12 OF THE ASSOCIATED EDS.

### CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT

#### **SECTION I - GENERAL INFORMATION**

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

The Dolphin Trust

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

Indicate whether the Disclosing Party submitting this EDS is:

- 1. [] the Applicant OR
- 2. [yj 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: ESSEX HOTEL OWNER, LLC OR
- 3. [] a legal entity with a right of control (see Section II.B.l.) Slate the legal name of the entity in which the Disclosing Party holds a right of control:

B. Business address of the Disclosing Party: La Tonnelle House, Les Banques, St. Sampson Guernsey, GY1 3HS

C. Telephone: +44 1481 721374 Fax: N/A Email: kelvin.hudson@saffery.gg

#### <mailto:kelvin.hudson@saffery.gg>

- D. Name of contact person: Kelvin Hudson
- E. Federal Employer Identification No. (if you have one): ■:
- F. Brief description of contract, transaction or other undertaking (referred to below as the "Matter") to which this EDS pertains. (Include project number and location of property, if applicable): APPLICATION FOR CLASS L PROPERTY TAX INCENTIVE AND PLANNED DEVELOPMENT FOR PROPERTY LOCATED AT 800 SOUTH MICHIGAN AVENUE

File #: SO2015-6429,	Version: 1	
G. Which City age	ncy or department is re	equesting this EDS? PLANNING AND DEVELOPMENT
If the Matter is complete the following	_	flled by the City's Department of Procurement Services, please
Specification #		and Contract # .
Page 1 of 13		
SECTION II DISC	CLOSURE OF OWNERS	SHIP INTERESTS
A. NATURE OF THE	E DISCLOSING PARTY	
		rson rivately held business corporation [ ] Sole proprietorship [ ] General
rty:  [ ] Limited liability [ ] Limited liability [ ] Joint venture [ ] Not-for-profit co (Is the not-for-profit	partnership rporation t corporation also a 501(c) [] No	(3))?
2. For legal entitie	es, the state (or foreign cou	antry) of incorporation or organization, if applicable:
Guernsey		' ~"
3. For legal entition State of Illinois as a formula of the state of Illinois as a formula of the state of th		te of Illinois: Has the organization registered to do business in the
[] Yes	[xj No	[ ] N/A
B IF THE DISCLOS	ING PARTY IS A I FGAI	FNTITY:

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

File #: SO2015-6429, <b>V</b>	ersion: 1	
that controls the day-to- EDS on its own behalf.	day management of the Disclosing Pa	arty. NOTE: Each legal entity, listed-below must submit an
Name Title Rysaffe Tru	stee Company (C.I.) Limited Trustee	
		y O'Donnell. Philip James Radford, Ian Baden Powell, Mark e, Lisa-Jayne Vizia, Allison Jayne Brouard
beneficial interest (inclu	_	g each person or entity having a direct or indirect The Disclosing Parly. Examples of such an interest ership or joint venture,
	Page 2	of 13
other similar entity. It Chicago ("Municipal	f none, state "None." NOTE: Pursu	mpany, or interest of a beneficiary of a trust, estate or ant to Section 2-154-030 ofthe Municipal Code of such additional information from any applicant which is
Name	Business Address	Percentage Interest in the Disclosing Party
None		Disclosing Farty
SECTION III BUS	SINESS RELATIONSHIPS WIT	TH CITY ELECTED OFFICIALS
_	Party had a "business relationship official in the 12 months before the	p," as defined in Chapter 2-156 of the Municipal Code, e date this EDS is signed?
[] Yes	LJ No	
If yes, please identify relationship(s):	below the name(s) of such City ele	ected official(s) and describe such

#### 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

File #: SO2015-6429, Ver	sion: 1		
through the Disclosing l	Party's regula	er navroll	
	, .		
on behalf of any person "Lobbyist" also means a	or entity others	entity who undertakes to influence er than: (I) a not-for-profit entity, or entity any part of whose duties as ive or administrative action.	
_	-	n whether a disclosure is required or make the	_
		Page 3 of 13	
Name (indicate whether	Business	Relationship to Disclosing Party	·
retained or anticipated to be retained)	Address	(subcontractor, attorney, lobbyist, etc.)	paid or estimated.) NOTE:  "hourly rale" or "t.b.d." is  not an acceptable response.
(Add sheets if necessary)			
&] Check here if the I	Disclosing Pa	rty has not retained, nor expects	to retain, any such persons or entities
SECTION V - CERTIFI	CATIONS		
A. COURT-ORDERED	CHILD SUPP	ORT COMPLIANCE	-
remain in compliance with	n their child su	apport obligations throughout the cont	ntities that contract with the City must ract's term-Has any person who directly or ge on any child support obligations by any
Illinois court of competen	t jurisdiction?		
[] Yes []	No 5	od N° person directly or indirectly own Disclosing Party.	ns 10% or more of the
If "Yes," has the person en compliance with that agre		ourt-approved agreement for payment	of all support owed and is the person in

[]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 ofthe City or any sister agency; and (ii) the Applicant understands and acknowledges that compliance with Article J is a continuing requirement for doing business with the City. NOTE: If Article I applies to the Applicant, the permanent compliance timeframe in Article I supersedes some five-year compliance timeframes in certifications 2 and 3 below.

#### Page 4 of 13

- 2. The Disclosing Party and, if the Disclosing Party is a legal entity, all of those persons or entities identified in Section II.B. 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;
  - b. have not, within a five-year period preceding the date of this EDS, been convicted of a criminal offense, adjudged guilty, or had a civil judgment rendered against them in connection with: obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under a public transaction; a violation of federal or state antitrust statutes; fraud; embezzlement; theft; forgery; bribery; falsification or destruction of records; making false statements; or receiving stolen properly;
  - c. 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").

#### Page 5 of 13

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

- a. bribed or attempted to bribe, or been convicted or adjudged guilty of bribery or attempting to bribe, a public officer or employee of the City, the State of Illinois, or any agency of the federal government or of any state or local government in the United States of America, in that officer's or employee's official capacity;
- 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. of 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 Universified 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:

File #: SO2015-6429,	Version:	1
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N/A

#### Page 6 of 13

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

8. To the best ofthe Disclosing Party's knowledge after reasonable inquiry, the following is a complete list of all current employees of the Disclosing Party who were, at any time during the 12-month period preceding the execution date of this EDS, an employee, or elected or appointed official, of the City of Chicago (if none, indicate with "N/A" or "none").

N/A

9. To the best ofthe 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.

n/a

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

- 1. The Disclosing Party certifies that the Disclosing Party (check one)
- 1. [] is |xl 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

File #: SO2015-6429, <b>Versio</b> i	n: 1	
(attach additional pages if nec	cessary):	
N/A		
	Page 7 of	fT3
	rd "None," or no response appeng Party certified to the above	ears on the lines above, it will be conclusively statements.
D. CERTIFICATION REC	GARDING INTEREST IN CIT	TY BUSINESS
Any words or terms that ar used in this Part D.	re defined in Chapter 2-156 of	the Municipal Code have the same meanings when
financial interest in his or h		nicipal Code: Does any official or employee of the City have a f any other person or entity in the Matter?
-NOTEIf-you ehee-ke-d-^-e to Part E.	es^-to-Item-D^E^proceed to Ite	ems-D.2andD.3. If you checked. "Nolto. Item D.l., proceed
employee shall have a final purchase of any property the legal process at the suit ofton	ncial interest in his or her own nat (i) belongs to the City, or (i he City (collectively, "City Pro	bidding, or otherwise permitted, no City elected official or name or in the name of any other person or entity in the i) is sold for taxes or assessments, or (iii) is sold by virtue of operty Sale"). Compensation for property taken pursuant to the ial interest within the meaning of this Part D.
Does the Matter involve a	City Properly Sale?	
[] Yes	[ ] No	
·	es" to Item D.l., provide the naterest and identify the nature of	mes and business addresses of the City officials or such interest:
Name	Business Address	Nature of Interest
4. The Disabosing Port	y further contifies that no	shibited financial interest in the Matter will be acquired by
any City official or employ	•	phibited financial interest in the Matter will be acquired by
E. CERTIFICATION REC	GARDING SLAVERY ERA B	USINESS

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

File	<b>)</b> #:	SO20	15-6429,	V	'ersion:	1
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in an attachment to this EDS all information required by paragraph 2. Failure to

Page 8 of 13

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

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

N/A

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

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

Page 9 of 13 -

File #:	SO2015-6429,	Version:	1
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- 3. The Disclosing Parly will submit an updated certification at the end of each calendar quarter in which there occurs any event lhat materially affects the accuracy of the statements and information set forth in paragraphs A.l. and A.2. above.
- 4. The Disclosing Parly certifies that either: (i) it is not an organization described in section 501(c)(4) of the Internal Revenue Code of 1986; or (ii) it is an organization described in section 501(c)(4) of the Internal Revenue Code of 1986 but has not engaged and will not engage in "Lobbying Activities".
- 5. If the Disclosing Party is the Applicant, the Disclosing Party must obtain certifications equal in form and substance to paragraphs A.l. through A.4. above from all subcontractors before it awards any subcontract and the Disclosing Party must maintain all such subcontractors' certifications for the duration of the Matter and must make such certifications promptly available to the City upon request.

#### B. CERTIFICATION REGARDING EQUAL EMPLOYMENT OPPORTUNITY

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

Is the Disclosing Party the	Applicant?	
[] Yes	[ ] No N/A	
If "Yes," answer the three q	questions below:	
1. Have you develope regulations? (See 41 CFR P - [ ] Yes []No	ed and do you have on file affirmative action programs pursuant to Part 60-2.)	applicable federal
•	n the Joint Reporting Committee, the Director of the Office of Federal Conployment Opportunity Commission all reports due under the applicable fill [] No	•
3. Have you participat opportunity clause?	ted in any previous contracts or subcontracts subject to the equal	
[] Yes	[ ] No	
If you checked "No" to que	estion 1. or 2. above, please provide an explanation:	

Page 10 of 13

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

The Disclosing Party understands and agrees that:

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

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

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

The Disclosing Party represents and warrants that:

#### Page IT of 13

F.l. The Disclosing Party is not delinquent in the payment of any tax administered by the Illinois Department of Revenue, nor are the Disclosing Party or its Affiliated Entities delinquent in paying any fine, fee, tax or other charge owed to the City. This includes, but is not limited to, all water charges, sewer charges, license fees, parking tickets, property taxes or sales taxes.

File #: SO2015-6429, Version: 1

- 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 lo any of the items in F.l., F.2. or F.3. above, an explanatory statement must be attached to this EDS.

#### CERTIFICATION

The Dolphin Trust

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

(Print or type name of Disclosing Party)
(Sign here

By:

(Print or type name of person signing)

(Print or type title of person signing)

Signed and sworn to before me on (date)

at ff&rf\*- Ge\*Mjrl£t&\*Mfr\_ (state).

\_ Notary Public.

Commission expires: (A |\_

#### 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

File #: SO2015-6429, Version: 1		

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

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

[ ]	Yes	[] No

If yes, please identify below (1) the name and title of such person, (2) the name of the legal entity to which such person is connected; (3) the name and title of the elected city official or department head to whom such person has a familial relationship, and (4) the precise nature of such familial relationship.

#### Page 13-of 13

# CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT APPENDIX B

#### BUILDING CODE SCOFFLAW/PROBLEM LANDLORD CERTIFICATION

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

1. Pursuant to Municipal Code Section 2-154-010, is the Applicant or any Owner identified as a building code scofflaw or problem landlord pursuant to Section 2-92-416 of the Municipal Code?

File #: SO2015-6429, Version	: 1	
1		
[]Yes	[ ]No	
	the Applicant identified as a b	y exchange,-is-any-officeror.director.of- <a href="http://-is-any-ouilding">http://-is-any-ouilding</a> code scofflaw or problem landlord pursuant to
[].Yes	[ ]No	[] Not Applicable
		me ofthe person or legal entity . identified as a building code ailding or buildings to which the pertinent code violations
THAT THIS APPEN THE ASSOCIATED	DIX B IS INCORPORATEI EDS, AND THAT THE REI THE CERTIFICATION MA	TES ACKNOWLEDGMENT AND AGREEMENT D BY REFERENCE INTO, AND MADE A PART OF, PRESENTATIONS MADE IN THIS APPENDIX B LDE UNDER PENALTY OF PERJURY ON PAGE 12
		TY OF CHICAGO ECONOMIC SCLOSURE STATEMENT AND
	DI	AFFIDAVIT
SECTION I - GENERAL	INFORMATION	
A. Legal name of the Discle	osing Party submitting thi	s EDS. Include d/b/a/ if applicable:
Rysaffe North American	Property PCC Limited C	Cell D2
Check ONE of the following	g three boxes:	
Indicate whether the Disclo	sing Party submitting this E	DS is:

1. [] the Applicant OR

File #: SO2015-6429, Version: 1		
e . e	rect interest in the Applicant. State the legal name of the holds an interest: ESSEX HOTEL OWNER, LLC	
3. [] a legal entity with a right of control ( . which the Disclosing Party holds a right of	(see Section II.B.l.) State the legal name of the entity in of control:	
B. Business address of the Disclosing Party: Tow  Geneva Place, Waterfront Drive, P.O. Box 3469, Road Tortola, British Virgin Islands		
D. Name of contact person: Kelvin Hudso		
E. Federal Employer Identification No. (if you	u have one): i	
"Matter") to which this EDS pertains. (Incapplicable): APPLICATION FOR CLASS	n or other undertaking (referred to below as the clude project number and location of property, if L PROPERTY TAX INCENTIVE AND PLANNED CATED AT 800 SOUTH MICHIGAN AVENUE	
G. Which City agency or department is req	questing this EDS? PLANNING AND DEVELOPMENT	
If the Matter is a contract being handl complete the following:	ed by the City's Department of Procurement Services, please	
Specification #	and Contract #	
Page 1 of 13		
SECTION II - DISCLOSURE OF OWNERSHIP	INTERESTS A. NATURE OF	
THE DISCLOSING PARTY		
1. Indicate the nature of the Disclosing Party		
Person  Publicly registered business corporation	[ ] Limited liability company ] Limited liability partnership	
Publicly registered business corporation [ Privately held business corporation	[ ] Joint venture	
Sole proprietorship	[] Not-for-profit corporation	
General partnership	(Is the not-for-profit corporation also a 501(c)(3))?	

File #: SO2015-6429, Ve	rsion: 1					
Limited partnership Trust		[ ] Yes [X] Other (plea		[] No	\ /\ //	
2. For legal entities,	the state (or foreign count	try) of incorporation	n or organizati	on, if appl	icable:	
2Guernsey	-	-	-			
3. For legal entities n State of Illinois as a forei	ot organized in the State ogn entity?	f Illinois: Has the o	organization re	gistered to	do business	s in the
[] Yes	IX] No	[] N/A				
B. IF THE DISCLOSING	G PARTY IS A LEGAL E	NTITY:				
If the entity is a general venture, list below the nathat controls the day-to-dentate EDS on its own behalf.  Name Title Directors of the Helen Foster Green, Lorentate Controls and the Helen Foster Green Green Controls and the Helen Foster Green Controls and the Helen Foster Green Control Gre	ates or other similar entities all partnership, limited part me and title of each general ay management of the Dische Company: .  The Mary O'Donnell. Philip ohn Batiste. Lisa-Jayne V	nership, limited lia al partner, managin closing Party. NOT James Radford, Iar	bility company ng member, ma ΓΕ: Each legal	y, limited langer or an entity liste	ny other per d below mu	son or entity ast submit an
beneficial interest (includ	he following information of ing ownership) in excess of ration, partnership interest	of 7.5% of the Disc	closing Party. E	•		
		Page 2 of 13				
similar entity. If none, sta	nanager in a limited liabilit ate "None." NOTE: Pursua City may require any such disclosure.	ant to Section 2-154	4-030 ofthe Mu	micipal Co	ode of Chica	igo
Name	Business Address		Percentage In Disclosing Pa		ne	
Quadrum Atlantic SPC	190 Elgin Avenue, Geo	orge Town	Zistioning i u	,	<u>:</u>	<u>50%</u>
	Grand Cavman, KY	19005, Cayman Isl	ands			

Geneva Place, Waterfront Drive,

Sagittarius Investments Holdings Limited

50%

File #: SO2015-6429,	Version: 1
C	P.O. Box 3469, Road Town, Tortola, British Virgin Islands
SECTION III BUS	INESS RELATIONSHIPS WITH CITY ELECTED OFFICIALS
-	Party had a "business relationship," as defined in Chapter 2-156 of the Municipal Code, with any the 12 months before the date this EDS is signed?
[]Yes	DC No
If yes, please identify l	below the name(s) of such City elected official(s) and describe such relationship(s):
SECTION IV DISC	CLOSURE OF SUBCONTRACTORS AND OTHER RETAINED PARTIES
accountant, consultant connection with the M	ty must disclose the name and business address of each subcontractor, attorney, lobbyist, and any other person or entity whom the Disclosing Party has retained or expects to retain in atter, as well as the nature of the relationship, and the total amount of the fees paid or estimated to g Party is not required to disclose employees who are paid solely through the Disclosing Party's
of any person or entity	any person or entity who undertakes to influence any legislative or administrative action on behalf other than: (1) a not-for-profit entity, on an unpaid basis, or (2) himself. "Lobbyist" also means by part of whose duties as an employee of another includes undertaking to influence any legislative in.
_	arty is uncertain whether a disclosure is required under this Section, the Disclosing Party must ether disclosure is required or make the disclosure.
	Page 3-of- 13
Relationship to Disclo	er Business retained or anticipated Address to be retained) sing Party (subcontractor, attorney, lobbyist, etc.) paid or estimated.) NOTE: "hourly rate" or "t.b.d." is not an acceptable response.

Office of the City Clerk Page 180 of 317 Printed on 7/10/2025

(Add sheets if necessary)

File #: SO2015-6429, Version: 1	

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

#### **SECTION V ~ CERTIFICATIONS**

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

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

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

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

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

[JYes [JNo

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

1. Pursuant to Municipal Code Chapter 1-23, Article I ("Article I")(which the Applicant should consult for defined terms (e.g., "doing business") and legal requirements), if the Disclosing Party submitting this EDS is the Applicant and is doing business with the City, then the Disclosing Party certifies as follows: (i) neither the Applicant nor any controlling person is currently indicted or charged with, or has admitted guilt of, or has ever been convicted of, or placed under supervision for, any criminal offense involving actual, attempted, or conspiracy to commit bribery, theft, fraud, forgery, perjury, dishonesty or deceit against an officer or employee of the City or any sister agency; and (ii) the Applicant understands and acknowledges that compliance with Article I is a continuing requirement for doing business with the City. NOTE: If Article I applies to the Applicant, the permanent compliance timeframe in Article I supersedes some five-year compliance timeframes in certifications 2 and 3 below.

## Page 4 of 13

- 2. The Disclosing Party and, if the Disclosing Party is a legal entity, all of those persons or entities identified in Section II.B. 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;
  - 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").

## "~"Page 5 of 13 "

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

- a. bribed or attempted to bribe, or been convicted or adjudged guilty of bribery or attempting to bribe, a public officer or employee of the City, the State of Illinois, or any agency of the federal government or of any state or local government in the United States of America, in that officer's or employee's official capacity;
- 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 ahy 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:

N/A

# Page 6 of 13

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

8. To the best of the Disclosing Party's knowledge after reasonable inquiry, the following is a complete list of all current employees of the Disclosing Party who were, at any time during the 12-month period preceding the execution date of this EDS, an employee, or elected or appointed official, of the City of Chicago (if none, indicate with "N/A" or "none").

N/A

9. To the best of the Disclosing Party's knowledge after reasonable inquiry, the following is a complete list of all gifts that the Disclosing Party has given or caused to be given, at any time during the 12-month period preceding the execution date of this EDS, to an employee, or elected or appointed official, of the City of Chicago. For purposes of this statement, a "gift" does not include: (i) anything made generally available to City employees or to the general public, or (ii) food or drink provided in the course of official City business and having a retail value of less than \$20 per recipient (if none, indicate with "N/A" or "none"). As to any gift listed below, please also list the name of the City recipient.

File #:	SO2015-6429,	Version:	1
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#### C. CERTIFICATION OF STATUS AS FINANCIAL INSTITUTION

- 1. The Disclosing Party certifies that the Disclosing Party (check one)
- 1. [] is \$j is not

a "financial institution" as defined in Section 2-32-455(b) of the Municipal. Code.

2. If the Disclosing Party IS a financial institution, then the Disclosing Party pledges:

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

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

N/A

#### Page 7 of "13

If the letters "NA," the word "None," or no response appears on the lines above, il will be conclusively presumed lhat 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 2-156-1 10 of the Municipal Code: Does any official or employee of the City have a financial interest in his or her own name or in the name of any other person or entity in the Matter?

[] Yes y No

J^.O-TE:\_I-f-y-ou-checked-Y-es^-to4-tein-D-.-l-.,-p.i:oceed-to-I-tems-D,2-,-and-D-.3.-If you checked-"-No" to Item D.l., proceed to Part E.

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

Does the Matter involve a City Property Sale?

File #: SO2015-6429, Version: 1					
[] 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

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 lo

Page 8 of 13

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

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

File #·	SO2015-6429	Version:	1
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who have made lobbying contacts on behalf of the Disclosing Party with respect to the Matter: (Add sheets if necessary):

N/A

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

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

.....

Page 9 of 13' '-

- 3. The Disclosing Parly will submit an updated certification at the end of each calendar quarter in which there occurs any event that materially affects the accuracy of the statements and information set forth in paragraphs A.l. and A.2. above.
- 4. The Disclosing Party certifies that either: (i) it is not an organization described in section 501(c)(4) of the Internal Revenue Code of 1986; or (ii) it is an organization described in section 501(c)(4) of the Internal Revenue Code of 1986 but has not engaged and will not engage in "Lobbying Activities".
- 5. If the Disclosing Parly is the Applicant, the Disclosing Party must obtain certifications equal in form and substance to paragraphs A.l. through A.4. above from all subcontractors before it awards any subcontract and the Disclosing 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 N/A

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

File#	: SO2015-6429, <b>Version</b> :	1
LJ	ı	
_	rams, or the Equal Employr	Joint Reporting Committee, the Director of the Office of Federal Contract Compliance nent Opportunity Commission all reports due under the applicable filing requirements?  ] No
	Have you participated in rtunity clause? Yes []No	any previous contracts or subcontracts subject to the equal

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

Page 10 of 13

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

The Disclosing Party understands and agrees that:

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

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

Sedgwick St., Suite 500, Chicago, IL 60610, (3 12) 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 2-1 54-020 of the Municipal Code.

The Disclosing Party represents and warrants lhat:

## Page 11 of 13

- F. 1. The Disclosing Parly 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.I. and F.2. above and will not, without the prior written consent of the City, use any such contractor/subcontractor that does not provide such certifications or that the Disclosing Party has reason to believe has not provided or cannot provide truthful certifications.

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

## **CERTIFICATION**

Under penalty of perjury, the person signing below: (1) warrants that he/she is authorized to execute this EDS arid 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 ofthe date furnished to the City.

Rysaffe North American Property PCC Limited Cell D2 (Print or type name of Disclosing Party)

(Sign hTrd) (Print or type name of person

signing)

1 10 m. 002010-0420, VOISION.
<i>e e)</i>
>fH"C^>C
(Print or type title of person signing)
Signed and sworn to before me on (date)
at 2r&ti*-&*T C^ufl+yr *f f/fr*W * (state).  Commission expires: /Jy </td

Page 12 of 13

File #: SO2015 6420 Version: 1

Notary Public.

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

Does the Disclosi	ng Party or any "A <sub>l</sub>	oplicable Party"	or any Spouse of	or Domestic	Partner thereof	currently	have a
"familial relationship	" with an elected c	ity official or de	partment 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

File #: SO2015-6429, Version: 1		
familial relationship, and (4) the pr	ecise nature of such famil	lial relationship.
CIT	Page 13	of 1-3 NOMIC DISCLOSURE STATEMENT AND
CII		AFFIDAVIT
	APPE	NDIX B
BUILDING CODE SCOR	FFLAW/PROBLEM LA	NDLORD CERTIFICATION
	ant exceeding 7.5 percen	Applicant, and (b) any legal entity which has a direct t (an "Owner"). It is not to be completed by any legal te Applicant.
		Applicant or any Owner identified as a building code 92-416 of the Municipal Code?
[]Yes	[ ]No	
		n any exchange, is.any officer or of the Applican dlord pursuant to Section 2-92-416 of the Municipal Code?
[]Yes	[ ]No	[ ] Not Applicable
3. If yes to (1) or (2) above, ple identified as a building coordinate the pertinent code violation	le scofflaw or problem ia	me of the person or legal entity andiord and the address of the building or buildings to which

FILLING OUT THIS APPENDIX B CONSTITUTES ACKNOWLEDGMENT AND AGREEMENT THAT THIS APPENDIX B IS INCORPORATED BY REFERENCE INTO, AND MADE A PART OF, THE ASSOCIATED EDS, AND THAT THE REPRESENTATIONS MADE IN THIS APPENDIX B ARE SUBJECT TO THE CERTIFICATION MADE UNDER PENALTY OF PERJURY ON PAGE 12 OF THE ASSOCIATED EDS.

File #:	SO2015-6429	Version:	1
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# CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT

## **SECTION I - GENERAL INFORMATION**

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

applicable:

**QBD PROPERTIES, LLC** 

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

Indicate whether the Disclosing Party submitting this EDS is:

- 1. [] the Applicant OR
- 2. <u>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: ESSEX HOTEL OWNER, LLC OR</u>
- 3. [] a legal entity with a right of control (see Section II.B. I.) State the legal name of the entity in which the Disclosing Party holds a right of control:
- B. Business address of the Disclosing Party: 407 LINCOLN ROAD, SUITE 304 MIAMI BEACH, FL 33139
- C. Telephone: (305)763-8911 Fax: N/A Email:

sschumer@quadrumglobal.com <mailto:sschumer@quadrumglobal.com>

- D. Name of contact person: SETH SCHUMER
- E. Federal Employer Identification No. (if you have one):
- F. Brief description of contract, transaction or other undertaking (referred to below as the "Matter") to which this EDS pertains. (Include project number and location of property, if

File #: SO2015-64	429. <b>Version:</b> 1		
applicable): AP	PPLICATION FOR CLAS	SS L PROPERTY TAX INCENTIVE AND PLANNED OCATED AT 800 SOUTH MICHIGAN AVENUE	
G. Which City	agency or department is 1	requesting this EDS? PLANNING AND DEVELOPMENT	
If the Matte complete the	•	adled by the City's Department of Procurement Services, ple	ase
Specification	#	and Contract #	
Page 1 of. 13			
SECTION II - - DISCLOSURE (	OF OWNERSHIP INTERES	ΓS	
Person Publicly regist	tered business corporation business corporation rship ership	SING PARTY 1. Indicate the nature of the Disclosing Party: x [ ] [ ] [ ] [ ] (Is [ ]	
Not-for-profit cor	corporation also a 501(c)(3))? [] No	•	
2. For legal en	ntities, the slate (or foreign co	untry) of incorporation or organization, if applicable:	
FLO CAP ft			
3. For legal en State of Illinois as	-	ate of Illinois: Has the organization registered to do business in the	
[]Yes	(XJ 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 of the entity. NOTE:, Fornot-for7profit

File#	: SC	02015	-6429.	Version:	1
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corporations, also list below all members, if any, which are legal entities. If there are no such members, write "no members." For trusts, estates or other similar entities, list below the legal titleholder(s).

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

Name Title

 $V\$  a-CAAOVYE-g. . . .  $V\$ r $\$ 

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

Page 2 of 13

interest of a member or manager in a limited liability company, or interest of a beneficiary of a trust, estate or olher 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

00, ££SfcY , LLC / ^50 WEST VOO^kfr^1^ STPJE.ET . Svmfc HMO CVWCftGo, ILLINOIS Ulnb'H / -100% .

## SECTION III - BUSINESS RELATIONSHIPS WITH CITY ELECTED OFFICIALS

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

[]Yes (XI No

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

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

File #:	SO2015-6429,	Version:	1
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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

(Add sheets if necessary)

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

## **SECTION V - CERTIFICATIONS**

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

Under MunicTplilT^<rSlii<^^ the City must remain in compliance with their child support obligations throughout the contract's term.

Has any person who-directly or-indirectly-ownsTO%-or-more-of-the Disclosing-Parly^becn declared-in arrearage on any child support obligations by any Illinois court of competent jurisdiction?

[] Yes [] No f>\$ No person directly or indirectly owns 10% or more of the Disclosing Party.

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

File #: SO2015-6429, <b>Version</b> : 1						
compliance wit	th that agreement?	1.1	O	1 ,	1.1	1
[ ] Yes	[] No					

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

1. Pursuant to Municipal Code Chapter 1-23, Article I ("Article I")(which the Applicant should consult for defined terms (e.g., "doing business") and legal requirements), if the Disclosing Party submitting this EDS is the Applicant and is doing business with the City, then the Disclosing Party certifies as follows: (i) neither the Applicant nor any controlling person is currently indicted or charged with, or has admitted guilt of, or has ever been convicted of, or placed under supervision for, any criminal offense involving actual, attempted, or conspiracy to commit bribery, theft, fraud, forgery, perjury, dishonesty or deceit against an officer or employee of the City or any sister agency; and (ii) the Applicant understands and acknowledges that compliance with Article I is a continuing requirement for doing business with the City. NOTE: If Article I applies to the Applicant, the permanent compliance timeframe in Article I supersedes some five-year compliance timeframes in certifications 2 and 3 below.

# Page 4 of 13

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

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

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

## Page 5 of 13

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

- a. bribed or attempted to bribe, or been convicted or adjudged guilty of bribery or attempting to bribe, a public officer or employee of the City, the State of Illinois, or any agency of the federal government or of any state or local government in the United States of America, in that officer's or employee's official capacity;
- 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
- c. hav-e-no.t b.ecn.prose.c.uted for s.u.ch emiduct; OT
- 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 ofthe 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.

File #: SO2015-6429, Version: 1
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7. If the Disclosing Party is unable to certify to any of the above statements in this Part B (Further Certifications), the Disclosing Party must explain below:
Page 6 of 13
If the letters "NA," the word "None," or no response appears on the lines above, it will be conclusively presumed 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 ofthe Disclosing Party who were, at any time during the 12-month period preceding the execution dat 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 Parly's knowledge after reasonable inquiry, the following is a complete list of all gift that the Disclosing Party has given or caused to be given, at any time during the 12-month period preceding the execution

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 fXI 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."

File #: SO2015-6429, Version: 1		
- ·		of its affiliates (as defined in Section 2-32-455(b) Chapter 2-32 of the Municipal Code, explain here
U	f\	
	Page 7 of	213
If the letters "NA," (he word "None," or presumed that the Disclosing Party cere		ines above, it will be conclusively
D. CERTIFICATION REGARDING	NTEREST IN CITY BUSINE	SS
Any words or terms that are defined in used in this Part D.	Chapter 2-156 of the Municip	al Code have the same meanings when
In accordance with Section 2-1: financial interest in his or her own nan     [] Yes	-	Does any official or employee of the City have a person or entity in the Matter?
NOTE: If you checked "Yes" to Item Part E.	D.l., proceed to Items D.2. an	d D.3. If you checked "No" to Item D.1., proceed to
employee shall have a financial interest purchase of any property that (i) belon	t in his or her own name or in to gs to the City, or (ii) is sold for lectively, "City Property Sale"	therwise permitted, no City elected official or the name of any other person or entity in the taxes or assessments, or (iii) is sold by virtue of (). Compensation for property taken pursuant to the within the meaning of this Part D.
Does the Matter involve a City Propert	y Sale?	
[] Yes [] No		
3. If you checked "Yes" to Item D employees having such interest and ide	• •	ness addresses of the City officials or st:
Name Business .	Address Natu	ure of Interest

- 4. The Disclosing Party further certifies lhat no prohibited financial interest in the Matter will be acquired by any City official or employee.
- E. CERTIFICATION REGARDING SLAVERY ERA BUSINESS

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

Page 8 of 13

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

- \_X\_1. The Disclosing Party verifies that the Disclosing Party has searched any and all records of the Disclosing Party and any and all predecessor entities regarding records of investments or profits from slavery or slaveholder insurance policies during the slavery era (including insurance policies issued to slaveholders that provided coverage for damage to or injury or death of their slaves), and the Disclosing Party has found no such records.
- 2. The Disclosing Party verifies that, as a result of conducting the search in step 1 above, the Disclosing Party has found records of investments or profits from slavery or slaveholder insurance policies. The Disclosing Parly verifies that the following constitutes full disclosure of all such records, including the names of any and all slaves or slaveholders described in those records:

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

NOTE: If the 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 Parly with respect to the Matter: (Add sheets if necessary):

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

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

Page 9 of 13

File #: SO2015-6429,	Version: 1
	Ø · ·
_	Party will submit an updated certification at the end of each calendar quarter in which there materially affects the accuracy of the statements and information set forth in paragraphs A.l. and
Revenue Code of 1986	g Party certifies that either: (i) it is not an organization described in section 501(c)(4) of the Internal 6; or (ii) it is an organization described in section 501(c)(4) of the Internal Revenue Code of 1986 and will not engage in "Lobbying Activities".
substance to paragraph Disclosing Party must	ng Party is the Applicant, the Disclosing Party must obtain certifications equal in form and the A.l. through A.4. above from all subcontractors before it awards any subcontract and the maintain all such subcontractors' certifications for the duration of the Matter and must make such y available to the City upon request.
B. CERTIFICATION	REGARDING EQUAL EMPLOYMENT OPPORTUNITY
	lly funded, federal regulations require the Applicant and all proposed subcontractors to submit the with their bids or in writing at the outset of negotiations.
Is the Disclosing Party	y the Applicant?
[]Yes	[]No   ^
If "Yes," answer the th	nree questions below:
1. Have you devergulations? (See 41 C	eloped and do you have on file affirmative action programs pursuant to applicable federal CFR Part 60-2.) [] No
	with the Joint Reporting Committee, the Director of the Office of Federal Contract Compliance al Employment Opportunity Commission all reports due under the applicable filing requirements?
3. Have you particlause?	cipated in any previous contracts or subcontracts subject to the equal opportunity
[] Yes	[ ] No
If you checked "No" to	o question 1 or 2 above places provide an explanation:

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

Page 10 of 13

SECTION VII- ACKNOWLEDGMENTS, CONTRACT INCORPORATION, COMPLIANCE,

File #: SO2015-6429, Version: 1

# PENALTIES, DISCLOSURE

The Disclosing Party understands and agrees that:

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

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

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

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

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

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

The Disclosing Party represents and warrants that:

# Page 11 of 13

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

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

NOTE: If the Disclosing Party cannot certify as to any of the items in F. 1., F.2. or F.3. above, an ixplanatory statement inust-be-attached-to this..EDi

#### **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.

?RQ?1£EX\E.S U\_C
(Print or type name of Disclosing Party)

By:

(Sign here)

<u>ScK Scholar</u>
(Print or type name of person signing)
person signing)

 $\frac{5 \underline{\hspace{0.1cm}} \underline{\hspace{0.1cm}} \underline{\hspace{0.1cm}} \underline{\hspace{0.1cm}} b/l \\
(Print or type title of pcts)$ 

Signed and sworn to before me on (date) at A |9Jbj|.St County, AN

5

lt

(state). Notary Public.

Commissi<del>pn expires i - --,</del>

ANDREW L. Tfbtr

Notary Public, State of New York Registration #01Tl6077946 Qualified In New York County Commission Expires July 22, 2018

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

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

[] Yes Od 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.

Page 13 of 13

# CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT APPENDIX B

# BUILDING CODE SCOFFLAW/PROBLEM LANDLORD CERTIFICATION

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

1. Pursuant to Municipal Code Section 2-154-010, is the Applicant or any Owner identified as a building code scofflaw or problem landlord pursuant to Section 2-92-416 of the Municipal Code?

File #: SC	) 2015-6429, <b>Ve</b>	rsion: 1							
	1	1				ı			
[]	Yes fX]No								
	he Applicant is entified as a buil								
[]	Yes		[ ]No	[	X] Not Applic	able			
ide	es to (1) or (2) a entified as a bui expertinent code	lding code scot	fflaw or proble					ig or buildi	ngs to which
TH AS SU	LLING OUT TH IIS APPENDIX SOCIATED ED BJECT TO THI SOCIATED ED	B IS INCORPO DS, AND THAT E CERTIFICAT	ORATED BY F THE REPRES	REFEREN SENTATI JNDER P	ICE INTO, AN ONS MADE I ENALTY OF I	ID MAD N THIS PERJUR	E A PAR APPEND Y ON P <i>A</i>	RT OF, THI DIX B ARE AGE 12 OF	E ;
					Y OF CHICA CLOSURE ST				
						DAVIT			
SEC	CTION I GE	NERAL INFO	ORMATION						
A.	Legal nam	ne of the	Disclosing	Party	submitting	this	EDS.	Include	d/b/a/ if
appl	licable: Robert	W. Storm 200	05 Dynasty Tr	ust for R	obert Jr.				
Che	ck ONE of the	following thr	ee boxes:						
	cate whether th . [] the Applic	_	Party submitti	ng this E	DS is:				
	. [] a legal en . Applicant in OR	•				icant* S	tate the	legal name	e of the
W a legal er	. [] a legal entwhich the Discl	osing Party ho	olds a right of	control:	ŕ	_			•
	arty holds an iterest: S Business addres			10 Soutl	n Liberty Driv	⁄e			
			- •	So	outh Barringt	on, IL 6	0010		

p<sub>ax</sub>.

NA

Email:

847-426-8699

C.

Telephone:

rwstormsr@sbcglobal.net

File #: SO2015-6429, Version: 1	
<mailto:rwstormsr@sbcglobal.net></mailto:rwstormsr@sbcglobal.net>	U
D. Name of contact person: Robert Storm	
E. Federal Employer Identification No. (if y	ou have one):
<u> </u>	or other undertaking (referred to below as the "Matter") to umber and location of property, if applicable):
at 800 South Michigan Avenue.	and Class L Property tax incentive for property located testing this EDS? Department of Planning & Development
If the Matter is a contract being handled be complete the following:	by the City's Department of Procurement Services, please
Specification #	and Contract #
	Page 1 of 13
SECTION II - DISCLOSURE OF OWNERSHIP	P INTERESTS
A. NATURE OF THE DISCLOSING PARTY	
<ol> <li>Indicate the nature of the Disclosing Party</li> <li>Person</li> <li>Publicly registered business corporation</li> <li>Privately held business corporation</li> <li>Sole proprietorship</li> <li>General partnership</li> <li>Limited partnership</li> <li>Trust</li> </ol>	7:     [ ]     [ ]     [ ]     [ ]     (Is     [ ]
Limited liability company Limited liability partnership.  Not-for-profit corporation also a 501(c)(3))?  [] Yes  [] No  Other (please specify)	nership Joint venture
2. For legal entities, the state (or foreign count	try) of incorporation or organization, if applicable:

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File #: SO2015-6429, <b>Ver</b>	sion: 1		
3. For legal entities the State of Illinois as a		Illinois: Has th	ne organization registered to do business in
[] Yes	[ ] 'No	M N/A	
B. IF THE DISCLOSIN	G PARTY IS A LEGAL EN	ΓΙΤΥ:	
-for-profit corporations, members, write "no mer If the entity is a gene partnership or joint vent or any other person or en	also list below all members, i mbers." For trusts, estates or o ral partnership, limited partne ure, list below the name and t	if any, which a other similar en ership, limited itle of each ge day manageme	and all directors ofthe entity. NOTE: For no are legal entities. If there are no such ntities, list below the legal titleholder(s). liability company, limited liability eneral partner, managing member, manager ent of the DiscIosing.Party. NOTE: Each
Name		Title	,
beneficial interest (inclu	•	7.5% of the D	erson or entity having a direct or indirect Disclosing Party. Examples of such an tnership or joint venture,
	Page	e 2 of 13	
similar entity. If none, star	te "None." NOTE: Pursuant to S City may require any such addition	Section 2-154-03	st of a beneficiary of a trust, estate or other 30 ofthe Municipal Code of Chicago n from any applicant which is reasonably
Name	Business Address IO SOOTH Lie>££rV £12-		ercentage Interest in the isclosing Party

Distribution to Robert Storm Jr. and his descendants at Trustee's discretion

# 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

File #: SO2015-6429, Version: 1

City elected official in the 12 months before the date this EDS is signed?

[]Yes ^No

If yes, please identify below the namc(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 ofthe relationship, and the total amount ofthe fees paid or estimated to be paid. The Disclosing Party is not required to disclose employees who are paid solely through the Disclosing Party's regular payroll.

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

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

Page 3 of 13

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

Relationship to Disclosing Party Fees (indicate whether (subcontractor, attorney, paid or estimate lobbyist, etc.) paid or estimate "hourly rate" or

paid or estimated.) NOTE:
"hourly rate" or "t.b.d." is
not an acceptable response.

(Add sheets if necessary)

**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.

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11 0

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?

[] 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 ofthe City or any sister agency; and (ii) the Applicant understands and acknowledges that compliance with Article I is a continuing requirement for doing business with the City. NOTE: If Article I applies to the Applicant, the permanent compliance timeframe in Article I supersedes some five-year compliance timeframes in certifications 2 and 3 below.

# Page 4 of 13

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

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

- e. have not, within a five-year period preceding the date of this EDS, been convicted, adjudged guilty, or found liable in a civil proceeding, or in any criminal or civil action, including actions concerning environmental violations, instituted by the City or by the federal government, any state, or any other unit of local government.
- 3. The certifications in subparts 3,4 and 5 concern:
- the Disclosing Party;
- any "Contractor" (meaning any contractor or subcontractor used by the Disclosing Party in connection with the Matter, including but not Limited to all persons or legal entities disclosed under Section IV, "Disclosure of Subcontractors and Other Retained Parties");
- any "Affiliated Entity" (meaning a person or entity that, directly or indirectly; controls the Disclosing Party, is controlled by the Disclosing Party, or is, with the Disclosing Party, under common control of another person or entity. Indicia of control include, without limitation: interlocking management or ownership; identity of interests among family members, shared facilities and equipment; common use of employees; or organization of a business entity following the ineligibility of a business entity to do business with federal or state or local government, including the City, using substantially the same management, ownership, or principals as the ineligible entity); with respect to Contractors, the term Affiliated Entity means a person or entity that directly or indirectly controls the Contractor, is controlled by it, or, with the Contractor, is under common control of another person or entity;
- any responsible official of the Disclosing Party, any Contractor or any Affiliated Entity or any other official, agent or employee of the Disclosing Party, any Contractor or any Affiliated Entity, acting pursuant to the direction or authorization of a responsible official of the Disclosing Party, any Contractor or any Affiliated Entity (collectively "Agents").

# Page 5 of 13

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

- a. bribed or attempted to bribe, or been convicted or adjudged guilty of bribery or attempting to bribe, a
  public officer or employee ofthe 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 parry 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

- c. h~ave~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 ofthe above statements in this Part B (Further Certifications), the Disclosing Party must explain below:



# Page 6 of 13

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

- 8. To the best of the Disclosing Party's knowledge after reasonable inquiry, the following is a complete list of all current employees of the Disclosing Party who were, at any time during the 12-month period preceding the execution date of this EDS, an employee, or elected or appointed official, of the City of Chicago (if none, indicate with "N/A" or "none").
- 9. To the best ofthe 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

File #: SO2015-6429, Version: 1
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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 ofthe City recipient.

## C. CERTIFICATION OF STATUS AS FINANCIAL INSTITUTION

- 1. The Disclosing Party certifies that the Disclosing Party (check one)
- 1. [] is  $J^{\hat{}}$  fis 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 Parry is unable to make this pledge because it or any of its affiliates (as defined in Section 2-32-455(b) of the Municipal Code) is a predatory lender within the meaning of Chapter 2-32 of the Municipal Code, explain here (attach additional pages if necessary):

# Page 7 of 13

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

## D. CERTIFICATION REGARDING INTEREST IN CITY BUSINESS

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

1. In accordance with Section 2-156-110 of the Municipal Code: Does any official or employee of the City have a financial interest in his or her own name or in the name of any other person or entity in the Matter? [iYes ^No

NOTE: If you checked "Yes" to Item D.l., proceed to Items D.2. and D.3. If you checked "No" to iterrij^l^^po^edjo^art - E.

File #: 502015-6429, <b>version</b> :	1		
J 1 J			
official or employee shall ha entity in the purchase of any is sold by virtue of iegal prod	ve a financial interest in his property that (i) belongs to cess at the suit of the City (c	bidding, or otherwise permitted, no City elected or her own name or in the name of any other person of the City, or (ii) is sold for taxes or assessments, or (iii) collectively, "City Property Sale"). Compensation for ower does not constitute a financial interest within the	
Does the Matter involve a C	ity Property Sale?		
[] Yes	[ ] No		
3. If you checked "Yes" employees having such inter	-	ames and business addresses of the City officials or of such interest:	
Name	Business Address	Nature of Interest	
4. The Disclosing Party acquired by any City official		prohibited financial interest in the Matter will be	be
E. CERTIFICATION REGA	RDING SLAVERY ERA I	BUSINESS	
	this EDS all information re	ng Party checks 2., the Disclosing Party must disclosequired by paragraph 2. Failure to	se
	Page 8	of 13	
comply with these disclosure with the Matter voidable by		ny contract entered into with the City in connection	
Disclosing Party and any and or slaveholder insurance poli	l all predecessor entities reg cies during the slavery era (	Party has searched any and all records of the garding records of investments or profits from slavery (including insurance policies issued to slaveholders that eir slaves), and the Disclosing Party has found no such	
Disclosing Party has found re	ecords of investments or pro	conducting the search in step 1 above, the offits from slavery or slaveholder insurance policies. The ull disclosure of all such records, including the names	

of any and all slaves or slaveholders described in those records:

File #: SO2015-6429, Version: 1

## SECTION VI - CERTIFICATIONS FOR FEDERALLY FUNDED MATTERS

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

#### A. CERTIFICATION REGARDING LOBBYING

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

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

- 2. The Disclosing Party has not spent and will not expend any federally appropriated funds to pay any person or entity listed in Paragraph A.l. above for his or her lobbying activities or to pay any person or entity to influence or attempt to influence an officer or employee of any agency, as defined by applicable federal law, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress, in connection with the award of any federally funded contract, making any federally funded grant or loan, entering into any cooperative agreement, or to extend, continue, renew, amend, or modify any federally funded contract, grant, loan, or cooperative agreement.
- Page 9 of 13
- 3. The Disclosing Party will submit an updated certification at the end of each calendar quarter in which there occurs any event that materially affects the accuracy of the statements and information set forth in paragraphs A.l. and A.2. above.
- 4. The Disclosing Party certifies that either; (i) it is not an organization described in section 501(c)(4) of the Internal Revenue Code of 1986; or (ii) it is an organization described in section 501(c)(4) of the Internal Revenue Code of 1986 but has not engaged and will not engage in "Lobbying Activities".
- 5. If the Disclosing Party is the Applicant, the Disclosing Party must obtain certifications equal in form and substance to paragraphs A.l. through A.4. above from all subcontractors before it awards any subcontract and the Disclosing Party must maintain all such subcontractors' certifications for the duration of the Matter and must make such certifications promptly available to the City upon request.

# B. CERTIFICATION REGARDING EQUAL EMPLOYMENT OPPORTUNITY

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

Is the Disclosing Party the Applicant?

[] 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.)

[ 3 Yes [ 3 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?

[ 3 Yes [ 3 No

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

[3 Yes [j No

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

Page 10 of 13

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

The Disclosing Party understands and agrees that:

- A. The certifications, disclosures, and acknowledgments contained in this EDS will become part of any contract or other agreement between the Applicant and the City in connection with the Matter, whether procurement, City assistance, or other City action, and 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,

File #: SO2015-6429, Version:	: 1
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business, or transactions. The full text of these ordinances and a training program is available on line at www.cityofchicago.org/Ethics <a href="http://www.cityofchicago.org/Ethics">http://www.cityofchicago.org/Ethics</a>, and may also be obtained from the City's Board of Ethics, 740 N.

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

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

The Disclosing Party represents and warrants that:

Page 11 of 13
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- F.l. The Disclosing Party is not delinquent in the payment of any tax administered by the Illinois Department of Revenue, nor are the Disclosing Party or its Affiliated Entities delinquent in paying any fine, fee, tax or other charge owed to the City. This includes, but is not limited to, all water charges, sewer charges, license fees, parking tickets, property taxes or sales taxes.
- F.2 If the Disclosing Party is the Applicant, the Disclosing Party and its Affiliated Entities will not use, nor permit their subcontractors to use, any facility listed by the U.S. E.P.A. on the federal Excluded Parties List System ("EPLS") maintained by the U.S. General Services Administration.
- F.3 If the Disclosing Party is the Applicant, the Disclosing Party will obtain from any contractors/subcontractors hired or to be hired in connection with the Matter certifications equal in form and

File #: SO2015-6429, Version: 1

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 certification's and statements contained in this EDS and Appendix A (if applicable) are true, accurate and complete as of the date furnished to the City.

Robert W. Storm 2005 Dynasty Trust for Robert Jr. (Print or type name of Disclosing Party)

' (Sign here)

Christine M. Storm

(Print or type name of person signing)

Trustee

(Print or typ'e title of person signing)

Signed and sworn to before me on (date) at 6>qL County,  $<C((^{\circ}_a, _c)(\text{state}))$ 

\*~> hi fU> i G

Notary Public.

Page 12 of 13

CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT
AND AFFIDAVIT
APPENDIX A

# FAMILIAL RELATIONSHIPS WITH ELECTED CITY OFFICIALS AND DEPARTMENT HEADS

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

has only an indirect ownership interest in the Applicant

Under Municipal Code Section 2-154-015, the Disclosing Party must disclose whether such Disclosing Party or any "Applicable Party" or any Spouse or Domestic Partner thereof currently has a "familial relationship" with any elected city official or department head. A "familial relationship" exists if, as of the date this EDS is signed, the Disclosing Party or any "Applicable Parry" 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 KB. La., if the Disclosing Party is a corporation; all partners of the Disclosing Party, if the Disclosing Party is a general partnership; all general partners and limited partners of the Disclosing Party, if the Disclosing Party is a limited partnership; all managers, managing members and members of the Disclosing Party, if the Disclosing Party is a limited liability company; (2) all principal officers of the Disclosing Party; and (3) any person having more than a 7.5 percent ownership interest in the Disclosing Party. "Principal officers" means the president, chief operating officer, executive director, chief financial officer, treasurer or secretary of a legal entity or any person exercising similar authority.

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

[ JYes

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.

Page 13 of 13

# CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT APPENDIX B

#### BUILDING CODE SCOFFLAW/PROBLEM LANDLORD CERTIFICATION

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

File #: SO2015-6429, Version:	1		
v v G v	v		
		he Applicant or any Owner identified a tion 2-92-416 of the Municipal Code?	s a building
-[]Yes	<i>b41*o</i>		
	d as a building code scofflaw	ny exchange, is any officer or director or problem landlord pursuant to Section	
[] Yes	I 3 No	(XJ Not Applicable	
	g code scofflaw or problem l	name of the person or legal entity andlord and the address ofthe building	or buildings to
AGREEMENT THA AND MADE A PART MADE IN THIS APP	T THIS APPENDIX B IS I TOF, THE ASSOCIATED	TUTES ACKNOWLEDGMENT ANI NCORPORATED BY REFERENCI EDS, AND THAT THE REPRESEN TO THE CERTIFICATION MADE HE ASSOCIATED EDS.	E INTO, NTATIONS
		Y OF CHICAGO ECONOMIC CLOSURE STATEMENT AND AFFIDAVIT	

# **SECTION I -- GENERAL INFORMATION**

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

Oxford Essex Member, LLC

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

File #:	SO2015-6429,	Version:	1
ı 11 <del>0 π</del> .	002010-0420.	V CI SIUI I.	

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
- 2. Applicant in which the Disclosing Party holds an interest:

OR

- 3. [xl a legal entity with a right of control (see Section II.B.l.) State the legal name of the entity in which the Disclosing Party holds a right of control: Essex Hotel Owner, LLC
- B. Business address of the Disclosing Party: 350 West Hubbard, Suite 440 Chicago, Illinois 60654

C. Telephone: 312-506-4112 Fax: Email: speruri@oxford-capital.com <mailto:speruri@oxford-capital.com>

- D. Name of contact person: Sarang Peruri
- 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):

Application for Planned Development and Class L Property Tax Incentive for property located at 800 South Michigan Avenue

G. Which City agency or department is requesting this EDS? p'an"" g a"d Development

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

Specification # and Contract #







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

Page 1 of 13	
SECTION II - DISCLOSURE	OF OWNERSHIP INTERESTS
A. NATURE OF THE DISCLO	OSING PARTY
Person	
Publicly registered business co	rporation
Privately held business corpora	ation
Sole proprietorship	
General partnership	
Limited partnership	
Trust	
[Xj Limited liability company	
[] Limited liability partnership	)
[] Joint venture	
[] Not-for-profit corporation (Is the not-for-profit corporatio	on also a 501(a)(3))?
•	
[] Other (please specify)	. ] 140
[] other (preuse speerry)	
2. For legal entities, the s	tate (or foreign country) of incorporation or organization, if applicable:
Delaware	
3. For legal entitles not o business in the State of Illinois	orga"nize7l"in"the"Sta"te~o"f^TIIinoisrHas the" organization registered to-do as a foreign entity?
[JYes I	D\$ No []N/A
R IF THE DISCLOSING PAR	RTV IS A LEGAL ENTITY:

#### CLOSING PARTY IS A LEGAL ENTITY:

File #: SO2015-6429, Version: 1

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.

File #: SO2015-6429, Versior	n: 1	
Name Title John W. Rutledge	N	<i>l</i> lanager
beneficial interest (includin		th person or entity having a direct or indirect ne Disclosing Party. Examples of such an partnership or joint venture,
	Page 2 of 13	
or other similar entity. If no of Chicago ("Municipal Co	one, state "None." NOTE: Pursuant t	or interest of a beneficiary of a trust, estate o Section 2-154-030 of the Municipal Code additional information from any applicant
Name	Business Address	Percentage Interest in the Disclosing Party
John W. Rutledge Revoca Trust Dated y/1572W6	ble 350 West Hubbard Street, Sui Chicago, Illinois 61)654	te 440 100% Class A and Class C Interest 7TJ%~ Class U interests
Oxford Series Investors,	LLC 350 West Hubbard Street, S Chicago, Illinois 60654	Suite 440 100% Class B Interests; 30% Class D Interests
SECTION III - BUSINES	S RELATIONSHIPS WITH CIT	Y ELECTED OFFICIALS
_	rty had a "business relationship," I official in the 12 months before the	as defined in Chapter 2-156 of the Municipal date this EDS is signed?
[ ] Yes	M No	
If yes, please identify below relationship(s):	v the name(s) of such City elected of	ficial(s) and describe such

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

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

File #:	SO2015-6429,	Version:	1
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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	<b>Business</b>	Relationship to Disclosing Party	Fees (indicate whether
retained or anticipated NOTE:	Address	(subcontractor, attorney,	paid or estimated.)
to be retained)		lobbyist, etc.)	"hourly rate" or "t.b.d." is
			not an acceptable response.

(Add sheets if necessary)

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

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

Under Municipal-Gode-Section-2-92-4-1 -5-substantial wners-of~bu-siness-entities -at-eont-i=aet-w-ith 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 |X| No | [] No person directly or indirectly owns 10% or more of the

File #: SO2015-6429, Version: 1						
LJ	1 /	Disclosing I	Party.	•		

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

[] Yes [] No

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

1. Pursuant to Municipal Code Chapter 1-23, Article I ("Article I")(which the Applicant should consult for defined terms (e.g., "doing business") and legal requirements), if the Disclosing Party submitting this EDS is the Applicant and is doing business with the City, then the Disclosing Party certifies as follows: (i) neither the Applicant nor any controlling person is currently indicted or charged with, or has admitted guilt of, or has ever been convicted of, or placed under supervision for, any criminal offense involving actual, attempted, or conspiracy to commit bribery, theft, fraud, forgery, perjury, dishonesty or deceit against an officer or employee of the City or any sister agency; and (ii) the Applicant understands and acknowledges that compliance with Article I is a continuing requirement for doing business with the City. NOTE: If Article I applies to the Applicant, the permanent compliance timeframe in Article I supersedes some five-year compliance timeframes in certifications 2 and 3 below.

# Page 4 of 13

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

unit of local government.

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

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

#### Page S 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 ofthe above statements in this Part B (Further Certifications), the Disclosing Party must explain below:

#### None

# Page 6 of 13

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

- 8. To the best ofthe Disclosing Party's knowledge after reasonable inquiry, the following is a complete list of all current employees ofthe Disclosing Party who were, at any time during the 12-month period preceding the execution date of this EDS, an employee, or elected or appointed official, of the City of Chicago (if none, indicate with "N/A" or "none"). None
- 9. To the best ofthe 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 Cily of Chicago. For purposes of this statement, a "gift" does not include: (i) anything made generally available to City employees or to the general public, or (ii) food or drink provided in the course of official City business and having a retail value of less than \$20 per recipient (if none, indicate with "N/A" or "none"). As to any gift listed below, please also list the name ofthe City recipient. None

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

- 1. The Disclosing Party certifies that the Disclosing Party (check one)
- 1. [] is [yj 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 ofthe privilege of doing business with the City."

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

# Page 7 of 13

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

### D. CERTIFICATION REGARDING INTEREST IN CITY BUSINESS

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

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

[]Yes [XjNo

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

2. Unless sold pursuant to a process of competitive bidding, or otherwise permitted, no City elected official or employee shall have a financial interest in his or her own name or in the name of any other person or entity in the purchase of any property that (i) belongs to the City, or (ii) is sold. for taxes or assessments, or

File #:	SO2015-6429,	Version:	1
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(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

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

#### E. CERTIFICATION REGARDING SLAVERY ERA BUSINESS

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

Page 8 of 13

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

- X 1. The Disclosing Parly 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):

N/A

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

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

Page 9 of 13

- 3. The Disclosing Party will submit an updated certification at the end of each calendar quarter in which there occurs any event that materially affects the accuracy of the statements and information set forth in paragraphs A.l. and A.2. above.
- 4. The Disclosing Party certifies that either: (i) it is not an organization described in section 501(c)(4) of the Internal Revenue Code of 1986; or (ii) it is an organization described in section 501(c)(4) of the Internal Revenue Code of 1986 but has not engaged and will not engage in "Lobbying Activities".
- 5. If the Disclosing Party is the Applicant, the Disclosing Party must obtain certifications equal in form and substance to paragraphs A.l. through A.4. above from all subcontractors before it awards any subcontract and the Disclosing Party must maintain all such subcontractors' certifications for the duration of the Matter and must make such certifications promptly available to the City upon request.

File #: SO2015-6429, <b>Version:</b> 1			
B. CERTIFICATION REGARDING EQUAL EMPLOYMENT OPPORTUNITY			
If the M atter 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 federa 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?  [JYes []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:

Page 10 of 13

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

The Disclosing Party understands and agrees that:

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

B. The City's Governmental Ethics and Campaign Financing Ordinances, Chapters 2-156 and 2-164 of the

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

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

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

The Disclosing Party represents and warrants that:

#### Page 11 of 13

- F.l. The Disclosing Party is not delinquent in the payment of any tax administered by the Illinois Department of Revenue, nor are the Disclosing Party or its Affiliated Entities delinquent in paying any fine, fee, tax or other charge owed to the City. This includes, but is not limited to, all water charges, sewer charges, license fees, parking tickets, property taxes or sales taxes.
- F.2 If the Disclosing Party is the Applicant, the Disclosing Party and its Affiliated Entities will not use, nor permit their subcontractors to use, any facility listed by the U.S. E.P.A. on the federal Excluded Parties List System ("EPLS") maintained by the U.S. General Services Administration.
- F.3 If the Disclosing Party is the Applicant, the Disclosing Party will obtain from any contractors/subcontractors hired or to be hired in connection with the Matter certifications equal in form and

substance to those in F.l. 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.

#### Oxford Essex Member, LLC

i iul pi l^jjC iiaiiio ui j^iaoiOalilg raj ly}

By:

(Sign here)

John W. Rutledge

(Print or type name of person signing)

# Manager

(Print or type title of person signing)

Commission expi Page 12 of 13 Signed^and sworn to before me on (date) ^ ^ t U

at  $C_gy>vc\sim$  County,  $TjQtn,yp*<\backslash S$  (state).

#### OFFICIAL SEAL KRISHNA SIPIC

NOTARY PUBLIC - STATE OF ILLINOIS MY COMMISSION EXPIRES:09/08/:7

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

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

[]Yes [XiNo

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.

# . Page 13 of 13

# CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT APPENDIX B

	BUILDING CODE SCOFFLA	W/PROBLEM LANDLO	ORD CERTIFICATION
		ant exceeding 7.5 percer	eant, and (b) any legal entity which has a at (an "Owner"). It is not to be completed est in the Applicant.
1.	Pursuant to Municipal Code Section code scofflaw or problem landlord		icant or any Owner identified as a building 2-416 of the Municipal Code?
	[ ]Ycs [X]No		
2.	•		exchange, is any officer or director of the n landlord pursuant to Section 2-92-416 of the
	[JYes	. [ JNo	[X] Not Applicable
3.	•	•	fthe person or legal entity identified as a s of the building or buildings to which the

FILLING OUT THIS APPENDIX B CONSTITUTES ACKNOWLEDGMENT AND AGREEMENT THAT THIS APPENDIX B IS INCORPORATED BY REFERENCE INTO, AND MADE A PART OF, THE ASSOCIATED EDS, AND THAT THE REPRESENTATIONS MADE IN THIS APPENDIX B ARE SUBJECT TO THE CERTIFICATION MADE UNDER PENALTY OF PERJURY ON PAGE 12 OF THE ASSOCIATED EDS.

			ITY OF CHICAGO ECONOMIC SCLOSURE STATEMENT AND AFFIDAVIT
SECTION IGENERAL INFO	RMATION		
A. LegaJ name of the Disclosin	g Party subn	nitting th	nis EDS. Include d/b/a/ if
applicable:			
Christine M. Storm 2015 Dynas	ty Trust		
Check ONE of the following the	ree boxes:		
Indicate whether the Disclosing 1. [] the Applicant OR	Party submi	itting this	s EDS is:
			erest in the Applicant? State the legal name of the an interest:
which the Disclosing Party h	olds a right	of contro	ction II.B.l.) State the legal name of the entity in ol:  at is the subject of the matter. State the legal name of the owner in which the
B. "Business address of the Disclos	ing Party:	10 Sout	th Liberty Drive
		;	South Barrington, IL 60010
C. Telephone:	Fax:	NA	Email:
D. Name of contact person: Rob	ert Storm		

- E. Federal Employer Identification No. (if you have one):
- F. Brief description of contract, transaction or other undertaking (referred to below as the "Matter") to which this EDS pertains. (Include project number and location of property, if applicable):

File #: SO2015-64	129, <b>Version:</b> 1	
800 Sout	h Michigan Avenue.	opment and Class L Property tax incentive for property located at
	latter is a contract being the the following:	handled by the City's Department of Procurement Services, please
Specific	eation #	and Contract #
	DISCLOSURE OF OWI	NERSHIP INTERESTS ARTY
[] Person [] Publicly regis [] Privately held [] Sole proprietd [] General partn [] Limited partn [X]Trust [] Limited liabil [] Limited liabil [] Joint venture [] Not-for-profit (Is the not-for-pr	stered business corporation business corporation orship hership hership ity company ity partnership	ion $501(c)(3))?$
2. For legal of	entities, the state (or fore	eign country) of incorporation or organization, if applicable:
_	entities not organized tate of Illinois as a forei	d In the State of IIIinois:"Has the organization regTstered to~doign entity?

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

|X] N/A

.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 Title Robert W. Storm - Trustee

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

Page 2 of 13

interest of a member or manager in a limited liability company, or interest of a beneficiary of a trust, estate or other similar entity. If none, state "None." NOTE: Pursuant to Section 2-154-030 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

IO JJoOT-H U&££.TY Dft- Disclosing Party

^o. SAP-tHNGToH : tu-

>ISTg-tRuT\Ov4 To l£og>6i?^- W j\$rc>r2.H A^T> Hi's T)£N DA^'T^

At T£u£T€ef4 DrSTVfr&noKi

#### 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 ty^No

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

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

looli

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 Parly's regular payroll.

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

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

# Page 3 of 13

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

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

Fees (indicate whether paid or estimated.) I "hourly rate" or "t.b"

Fees (indicate whether paid or estimated.) NOTE:

"hourly rate" or "t.b.d." is not an acceptable response.

(Add sheets if necessary)

"^/check here if the Disclosing Party has not retained, nor expects to retain, any such persons or entities."

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

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

UndexMunidpaK^ substantial owners of business entities that contract with the City must remain in compliance with their child support obligations thrbugh7)virth"e<sup>-</sup>contTactVterm.

Has any person who directly or indirectly owns 10% ot 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 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?

	0.00.00	,	-
1			J
f]Yes		[]No	

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

1. Pursuant to Municipal Code Chapter 1-23, Article I ("Article I")(which the Applicant should consult for defined terms (e.g., "doing business") and legal requirements), if the Disclosing Party submitting this EDS is the Applicant and is doing business with the City, then the Disclosing Party certifies as follows: (i) neither the Applicant nor any controlling person is currently indicted or charged with, or has admitted guilt of, or has ever been convicted of, or placed under supervision for, any criminal offense involving actual, attempted, or conspiracy to commit bribery, theft, fraud, forgery, perjury, dishonesty or deceit against an officer or employee of the City or any sister agency; and (ii) the Applicant understands and acknowledges that compliance with Article I is a continuing requirement for doing business with the City. NOTE: If Article I applies to the Applicant, the permanent compliance timeframe in Article I supersedes some five-year compliance timeframes in certifications 2 and 3 below.

# Page 4 of 13

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

the Matter, including but not limited to all persons or legal entities disclosed under Section IV, "Disclosure of Subcontractors and Other Retained Parties");

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

# Page 5 of 13

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

- a. bribed or attempted to bribe, or been convicted or adjudged guilty of bribery or attempting to bribe, a public officer or employee ofthe 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 Parry,. Affiliate^ 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 ofthe 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

File #:	SO2015-6429.	Version:	1

Denied. Persons List, the Unverified List, the Entity List and the Debarred List.

- 6. The Disclosing Party understands and shall comply with the applicable requirements of Chapters 2-55 (Legislative Inspector General), 2-56 (Inspector General) and 2-156 (Governmental Ethics) of the Municipal Code.
- 7. If the Disclosing Party is unable to certify to any of the above statements in this Part B (Further Certifications), the Disclosing Party must explain below:



# Page 6 of 13

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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 ofthe 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 ofthe 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, ofthe 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 t^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 ofthe privilege of doing business with the City."

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

# Page 7 of 13

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

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

Any words or terras 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.L, proceed to Items D.2. and D.3. If you checked "No" to Item D.I., proceed to Part E.

2. Unless sold pmsuant to a process of competitive bidding,not otherwisepermitted^-no-Gity 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 (iiiTis sold by virtue of legal process at the suit of the City (collectively, "City Property Sale"). Compensation for property taken pursuant to the City's eminent domain power does not constitute a financial interest within the meaning of this Part D.

Does the Matter involve a City Property Sale?

[]Yes [JNo

3. If you checked "Yes" to Item D.L, provide the names and business addresses of the City

File	#•	SO20	15-6429	Version:	1
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officials or employees having such interest and identify the nature of such interest:

Name . Business Address Nature of Interest

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

#### E. CERTIFICATION REGARDING SLAVERY ERA BUSINESS

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

Page 8 of 13

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

- 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 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

File #: SO2015-6429, Version:		
sheets if necessary):		
will be conclusively presumed	begins on the lines above, or if the letters "I that the Disclosing Party means that NO 995 have made lobbying contacts on behalf	persons or entities registered under the
person or entity listed in Paraginfluence or attempt to influence member of Congress, an office connection with the award of		tivities or to pay any person or entity to as defined by applicable federal law, a ee of a member of Congress, in federally funded grant or loan, entering
	Page 9 of 13	
	rill submit an updated certification at the materially affects the accuracy of the stee.	<u> -</u>
the Internal Revenue Code of	ertifies that either: (i) it is not an organizate 1986; or (ii) it is an organization described s not engaged and will not engage in "Lob	d in section 501(c)(4) of the Internal
and substance to paragraphs A and the Disclosing Party must	is the Applicant, the Disclosing Party must. I. through A.4. above from all subcontract maintain all such subcontractors' certificate promptly available to the City upon request.	ctors before it awards any subcontract ations for the duration of the Matter and
B. CERTIFICATION REGA	RDING EQUAL EMPLOYMENT OPPO	RTUNITY
<u> </u>	nded,-federal-regulations requireJhe_AppJ nation with their bids or in writing at the o	
Is the Disclosing Party the Ap	plicant?	
[]Yes []	No	
If "Yes." answer the three que	estions 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.)

File #: SO2015-6429,	Version: 1			
[] Yes	[] No			
	ms, or the Equ	nt Reporting Committee, the Dir al Employment Opportunity Con		
3. Have you paropportunity clause?	-	y previous contracts ot subcontr	racts subject to the eq	ual
[] Yes	[] No			
If you checked "No	" to question 1	. or 2. above, please provide an	explanation:	
		Page 10 of 13		
SECTION V COMPLIANCE, PI		ACKNOWLEDGMENTS, ISCLOSURE	CONTRACT	INCORPORATION,
The Disclosing Part	ty understands	and agrees that:		
A. The certifications	s, disclosures,	and acknowledgments contained	l in this EDS will bec	come part of any contract

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

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

Sedgwick St., Suite 500, Chicago, EL 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:

# Page 11 of 13

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

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

#### **CERTIFICATION**

Under-penalty of perjury, the person signing below: (1) warrants4hai 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.

Christine M. Storm 2015 Dynasty Trust (Print or type name of Disclosing Party)

```
File #: SO2015-6429, Version: 1
          Rg^{\dagger}idi U ^{\star}xU^{\star}v- (Sign here)
By:
Robert W. Storm
(Print or type name of person signing)
Trustee
(Print or type title of person signing)
Signed and sworn to before me on (date)
                                                        5/^/ijoiL
                                                    (state).'
at £c.n\r
                       County,
   Notary Public. \
          ERICY KENNEY
                                                                              Notary Public - State of «"ino1*
               7. --
                             Notary Public.
                                          My Commission Expires J<sup>^</sup>J<sup>^</sup>9
Commission expires:
                           .5^-^ 1 -1 1 ^ ft ■
                                   O^1
                                                     Page 12 of 13
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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 ofthe 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 LT.B.l.a., if the Disclosing Party is a corporation; all partners of the Disclosing Party, if the Disclosing Party is a general partnership; all general partners and limited partners of the Disclosing Party, if the Disclosing Party is a limited partnership; all managers, managing members and members of the Disclosing Party, if the Disclosing Party is a limited liability company; (2) all principal officers of the Disclosing Party; and (3) any person having more than a 7.5 percent ownership interest in the Disclosing Party. "Principal officers" means the president, chief

File #: SO2015-6429, Version: 1	

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 fX] No

If yes, please identify below (1) the name and title of such person, (2) the name of the legal entity to which such person is connected; (3) the name and title of the elected city official or department head to whom such person has a familial relationship, and (4) the precise nature of such familial relationship.

# Page 13 of 13

# CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT APPENDIX B

#### BUILDING CODE SCOFFLAW/PROBLEM LANDLORD CERTD7ICATION

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 (an ."Owner"). It is not to be completed by any legal entity which has only an indirect ownership interest in the Applicant

1. Pursuant to Municipal Code Section 2-154-010, is the Applicant or any Owner identified as a building code scofflaw or problem landlord pursuant to Section 2-92-416 of the Municipal Code?

[ JYes

2. If the Applicant is a legal entity publicly traded on any exchange, is any officer or director of the Applicant identified as a building code scofflaw or problem landlord pursuant to Section 2-92-416 of the Municipal Code?

[]Yes

3. If yes to (1) or (2) above, please identify below the name of the person or legal entity identified as a building code scofflaw or problem landlord and the address of the building or buildings to which the pertinent code violations apply.

FILLING OUT THIS APPENDED B CONSTITUTES ACKNOWLEDGMENT AND AGREEMENT THAT THIS APPENDIX B IS INCORPORATED BY REFERENCE INTO, AND MADE A PART OF, THE ASSOCIATED EDS, AND THAT THE REPRESENTATIONS MADE IN THIS APPENDIX B ARE SUBJECT TO THE CERTIFICATION MADE UNDER PENALTY OF PERJURY ON PAGE 12 OF THE ASSOCIATED EDS.

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:

OQ Essex, LLC

Check ONE of the following three boxes:

Indicate whether the Disclosing Party submitting this EDS is:

- 1. [] the Applicant
  - OR
- 2. [X] a legal entity holding a direct or indirect interest in the Applicant. State the legal name of the
- 2. Applicant in which the Disclosing Party holds an interest: Essex Hotel Owner, LLC OR
- 3. |xl a legal entity with a right of control (see Section II.B.l.) State the legal name of the entity in which the Disclosing Party holds a right of control: Essex Hotel Owner, LLC
- **B. Business address of the Disclosing Party:** 350 West Hubbard, Suite 440 Chicago, Illinois 60654

C. Telephone: 312-506-4112 Fax: Email: speruri@oxford-capital.com

<mailto:speruri@oxford-capital.com>

- D. Name of contact person: Sarang Peruri
- E. Federal Employer Identification No. (if you have one):j
- 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):

File #: SO2015-64	29, <b>Version:</b> 1									
Application for located at 800 G. Which City a	South Michig	•							for	property
If the Matter is the following:		eing handled by tl	ne City	's Depai	rtme	nt of Procu	ıremen	nt Services, 1	please	complete
Specification	#			and Co	ntrac	et#				
Page 1 of 13										
SECTION II - D	ISCLOSURE	OF OWNERSHI	P INT	ERESTS	S					
A. NAT Person Publicly regis Privately held Sole propriete General partn Limited partn Trust	stered busines d business cor orship ership	_	PART (X. [ ] [ ] [ ] (Is	J	dica	te the natu	re of the	ne Disclosin	ig Par	ty:
Limited liability Not-for-profit co the not-for-profit [] Yes Other (please spe	rporation corporation a []N	lso a 501(c)(3))?	nership	) Joint v	entu	re				
2. For legal	entities, the s	tate (or foreign	countr	y) of inc	corp	oration o	r orga	nization, if	appli	cable:
Delaware	•									
3. For legal ebusiness in the St		ganized iii the Sta as a foreign entit		llinois: I	Has t	he organiz	cation 1	registered to	do	
[] Yes		()\$ No		[]	N/A	A				

File #:	SO2015-6429.	Version:	1

#### 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 Title Oxford Essex Member, LLC Manager

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

Page 2 of 13

interest of a member or manager in a limited liability company, or interest of a beneficiary of a trust, estate or other similar entity. If none, state "None." NOTE: Pursuant to Section 2-154-030 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

US Urban Properties LP c/o Quadrum Real Estate LLP

180 Great Portland Street

CoWoTnAnW^QZrDmted

**KmgcJom** 

95%

# 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 [XI 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 Business retained or anticipated to be retained)

Business Address

Relationship to Disclosing Party Fees (indicate whether (subcontractor, attorney, lobbyist, etc.) paid or estimated. "hourly rate" or "t.b"

paid or estimated.) NOTE: "hourly rate" or "t.b.d." is not an acceptable response.

(Add sheets if necessary)

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

File #: SO2015-6429, Version: 1	
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#### A. COURT-ORDERED CHILD SUPPORT COMPLIANCE

U.nder.M.unicipal..Code\_Section-2^92--4-1.5, substantial-owners-of-business-entities-thatcontract 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 M No person directly or indirectly owns 10% or more of the Disclosing Party.

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

[] Yes [] No

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

1. Pursuant to Municipal Code Chapter 1-23, Article I ("Article I")(which the Applicant should consult for defined terms (e.g., "doing business") and legal requirements), if the Disclosing Party submitting this EDS is the Applicant and is doing business with the City, then the Disclosing Party certifies as follows: (i) neither the Applicant nor any controlling person is currently indicted or charged with, or has admitted guilt of, or has ever been convicted of, or placed under supervision for, any criminal offense involving actual, attempted, or conspiracy to commit bribery, theft, fraud, forgery, perjury, dishonesty or deceit against an officer or employee of the City or any sister agency; and (ii) the Applicant understands and acknowledges that compliance with Article I is a continuing requirement for doing business with the City. NOTE: If Article I applies to the Applicant, the permanent compliance timeframe in Article I supersedes some five-year compliance timeframes in certifications 2 and 3 below.

# Page 4 of 13

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

- c. are not presently indicted for, or criminally or civilly charged by, a governmental entity (federal, state or local) with committing any of the offenses set forth in clause B.2.b. of this Section V;
- d. have not, within a five-year period preceding the date of this EDS, had one or more public transactions (federal, state or local) terminated for cause or default; and
- e. have not, within a five-year period preceding the date of this EDS, been convicted, adjudged guilty, or found liable in a civil proceeding, or in any criminal or civil action, including actions concerning environmental violations, instituted by the City or by the federal government, any state, or any other unit of local government.
- 3. The certifications in subparts 3, 4 and 5 concern:
- the Disclosing Party;
- any "Contractor" (meaning any contractor or subcontractor used by the Disclosing Party in connection with the Matter, including but not limited to all persons or legal entities disclosed under Section IV, "Disclosure of Subcontractors and Other Retained Parties");
- any "Affiliated Entity" (meaning a person or entity that, directly or indirectly: controls the Disclosing Party, is controlled by the Disclosing Party, or is, with the Disclosing Party, under common control of another person or entity. Indicia of control include, without limitation: interlocking management or ownership; identity of interests among family members, shared facilities and equipment; common use of employees; or organization of a business entity following the ineligibility of a business entity to do business with federal or state or local government, including the City, using substantially the same management, ownership, or principals as the ineligible entity); with respect to Contractors, the term Affiliated Entity means a person or entity that directly or indirectly controls the Contractor, is controlled by it, or, with the Contractor, is under common control of another person or entity;
- any responsible official of the Disclosing Party, any Contractor or any Affiliated Entity or any other official, agent or employee of the Disclosing Party, any Contractor or any Affiliated Entity, acting pursuant to the direction or authorization of a responsible official of the Disclosing Party, any Contractor or any Affiliated Entity (collectively "Agents").

#### Page 5 of 13

Neither the Disclosing Party, nor any Contractor, nor any A ffiliated 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 of 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 arid 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:

None

#### Page 6 of 13

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

8. To the best of the Disclosing Party's knowledge after reasonable inquiry, the following is a complete list of all current employees of the Disclosing Party who were, at any time during the 12-month period preceding the execution date of this EDS, an employee, or elected or appointed official, of the City of Chicago (if none, indicate with "N/A" or "none"). None

File #:	SO2015-0	6429. <b>V</b>	ersion:	1
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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 ofthe City recipient. None

#### 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 ofthe privilege of doing business with the City."

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

#### Page 7 of 13

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

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

Any words or terms that arc 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

File #: SO2015-6429, \	/ersion: 1	
have a financial inter	est in his or her own name	e or in the name of any other person or entity in the Matter?
NOTE: If you check proceed to Part E.	ed "Yes" to Item D.l., pro	roceed to Items D.2. and D.3. If you checked "No" to Item D.1
official or employees entity in the purchase is sold by virtue of le	shall have a financial interest of any property that (i) begal process at the suit ofthant to the City's eminent d	mpetitive bidding, or otherwise permitted, no City elected rest in his or her own name or in the name of any other person or selongs to the City, or (ii) is sold for taxes or assessments, or (iii) he City (collectively, "City Property Sale"). Compensation for domain power does not constitute a financial interest within the
Does the Matter invo	lve a City Property Sale?	
[ ] Yes	[ ] No	
•	d "Yes" to Item D.l., prov ch interest and identify the	vide the names and business addresses of the City officials or e nature of such interest:

Name Business Address Nature of Interest

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

#### E. CERTIFICATION REGARDING SLAVERY ERA BUSINESS

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

Page 8 of 13

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

X 1. The Disclosing Party verifies that the Disclosing Party has searched any and all records of the Disclosing Party and any and all predecessor entities regarding records of investments or profits from slavery or slaveholder insurance policies during the slavery era (including insurance policies issued to slaveholders that provided coverage for damage to or injury or death of their slaves), and the Disclosing Party has found no such records.

File #: SO2015-6429, Version: 1

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):

N/A

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

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

Page 9 of 13

3. The Disclosing Party will submit an updated certification at the end of each calendar quarter in which there occurs any event that materially affects the accuracy of the statements and information set forth in paragraphs A.l. and A.2. above.

File #: SO2015-6429, Version: 1
ı <i>u</i> ı
4. The Disclosing Party certifies that either: (i) it is not an organization described in section 501(c)(4) of the Internal Revenue Code of 1986; or (ii) it is an organization described in section 501(c)(4) of the Internal Revenue Code of 1986 but has not engaged and will not engage in "Lobbying Activities".
5. If the Disclosing Parly is the Applicant, the Disclosing Party must obtain certifications equal in form and substance to paragraphs A.l. through A.4. above from all subcontractors before it awards any subcontract and the Disclosing 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 tlle~M^t"teTis"federally funded~TedefalTegiilation^'equire the AppTicant and all proposed subcontractors to submit the following information with their bids of 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.) [JYes []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:
Page 10 of 13

Page 10 of 13

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

The Disclosing Party understands and agrees that:

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

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

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

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

File #: SO2015-6429, Version: 1

- F.l. The Disclosing Parly 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.l. 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 Parly 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.

#### OQ Essex, LLC

^jl Illil Oi ljrjJw ij.di.liw <http://ij.di.liw> v/x jl^i£>w\*J£» 1.1x5 x c\*i t y j

By:

(Sign here)

#### John W. Rutledge

(Print or type name of person signing)

#### Manager of Oxford Essex Member, LLC, the Disclosing Party's manager

(Print or type title of person signing)

Signed and sworn to before me on (date)

at ( (TV, ir /bounty, rTfl jLi^<3 (state).

Notary Public.

Commission exj/ires: °| ^& | i

Page 12 of 13

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

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

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

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

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

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

[]Yes [y]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.

#### Page 13 of 13

#### CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND **AFFIDAVIT** APPENDIX B

BUILDING CODE SCOFFLAW/PR	OBLEM LANDLORI	O CERTIFICATION
This Appendix is to be completed on ownership interest in the Applicant exceeding entity which has only ah indirect ownership.	g 7.5 percent (an "Ow	,
Pursuant to Municipal Code Section 2     code scofflaw or problem landlord pu		cant or any Owner identified as a building 2-416 of the Municipal Code?
[ ]Yes [X]No		
		exchange, is any officer or director of the em landlord pursuant to Section 2-92-416 of
[]Yes	[ ] No	[X]-Not Applicable
3. If yes to (1) or (2) above, please identified as a building code scofflav to which the pertinent code violations	w or problem landlord	he person or legal entity and the address of the building or buildings

FILLING OUT THIS APPENDIX B CONSTITUTES ACKNOWLEDGMENT AND AGREEMENT THAT THIS APPENDIX B IS INCORPORATED BY REFERENCE INTO, AND MADE A PART OF, THE ASSOCIATED EDS, AND THAT THE REPRESENTATIONS MADE IN THIS APPENDIX B ARE SUBJECT TO THE CERTIFICATION MADE UNDER PENALTY OF PERJURY ON PAGE 12 OF THE ASSOCIATED EDS.

## DISCLOSURE STATEMENT AND AFFIDAVIT

#### SECTION I - GENERAL INFORMATION

A.	Legal	l name	of the	Disc	losing	Party	y submitting	g this	EDS.	Include	: d/b/a/	if apr	olicab	ole:
	0				0	_	,	_				1 1		

Robert W. Storm 2005 Dynasty Trust for Christine

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
- 2. Applicant in which the Disclosing Party holds an interest:

OR

3. [] a legal entity with a right of control (see Section II.B.l.) State the legal name of the entity in which the Disclosing Party holds a right of control:

] a legal entity holding a direct or indirect interest in the owner of the property that is the subject of the matter. State the legal name of the owner in which the Disclosing Party holds an

rest: Storm Invesnments LP

B. Business address of the Disclosing Party: 10 South Liberty Drive

South Barrington, IL 60010

C. Telephone: 847-426-8699 pax: NA Email: rwstormsr@sbcglobal.net

<mailto:rwstormsr@sbcglobal.net>

D. Name of contact person: Robert Storm ---

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

F. Brief description of contract, transaction or other undertaking (referred to below as the "Matter") to which this EDS pertains. (Include project number and location of property, if applicable):

Application for Planned Development and Class L Property tax incentive for property located at 800 South Michigan Avenue.

G. Which City agency or department is requesting this EDS? Department of Planning & Development

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

Specification # and Contract #

File #: SO2015-6429, Versi	on: 1	
Page 1 of 13		
- DISCLOSURE OF OV	VNERSHIP INTER	ESTS
A. NATURE OF THE D	ISCLOSING PARTY	7
[] Person [] Publicly registered busines [] Privately held busines [] Sole proprietorship [] General partnership [] Limited partnership KI Trust	•	1. Indicate the nature of the Disclosing Pa:
[ ] Limited liability comp [ ] Limited liability partne [ ] Joint venture [ ] Not-for-profit corporat (Is the not-for-profit corporat [ ] Yes [ ] Other (please specify)	ership	(3))?
2. For legal entities, t	the state (or foreign c	country) of incorporation or organization, if applicable:
$\sim$ JZ L-L-(jO Q \ S		
3. For legal entities n business in the State of III	-	tate of Illinois: Has the organization registered to do tity?
[]Yes	[ ] No	X] N/A
B. IF THE DISCLOSING	G PARTY IS A LEGA	AL ENTITY:
not-for-profit corporation members, write "no mem If the entity is a general partnership or joint venture	s, also list below all abers." For trusts, esta al partnership, limited re, list below the nan tity that controls the	all executive officers and all directors of the entity. NOTE: For members, if any, which are legal entities. If there are no such ites or other similar entities, list below the legal titleholder(s). In partnership, limited liability company, limited liability in and title of each general partner, managing member, manager day-to-day management of the Disclosing Party. NOTE: Each on its own behalf.
Name Title		

File #: SO2015-6429, Version: 1

Christine M. Storm (Mother) - Co-Trustee

Christine M. Storm (Daughter) - Co-Trustee

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

Page 2 of 13

interest of a member or manager in a limited liability company, or interest of a beneficiary of a trust, estate or other similar entity. If none, state "None." NOTE: Pursuant lo 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 IO 3duTH LiBE^n/ i>£-

Percentage Interest in the Disclosing Party

'T^iSTeASiJTVOtvi To CH(U^T\\^% M X-rpjgj^'-^VWb PE£££MPA Nr-£ AT "TU-V£T£g X>\€C\$JcX\ OnJ

#### 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

File #: SO2015-6429, Version:	1		
	` '	or-profit entity, on an unpaid basis, or (2) has an employee of another includes under	•
If the Disclosing Party is ur either ask the City whether dis-		er a disclosure is required under this Section ired or make the disclosure.	on, the Disclosing Party must
		Page 3 of 13	
Name (indicate whether retained or anticipated NOTE:	Business Address	Relationship to Disclosing Party (subcontractor, attorney,	Fees (indicate whether paid or estimated.)
to be retained)		lobbyist, etc.)	"hourly rate" or "t.b.d." is not an acceptable response.
(Add sheets if necessary)			
Check here if the Disclo	osing Party h	as not retained, nor expects to retain	n, any such persons or
entities. SECTION V - CE	RTIFICATI	ONS A. COURT-ORDERED CHIL	D SUPPORT
COMPLIANCE			
_		-92-415, substantial owners of bunpliance with their child support	
· -	-	tly owns 10% or more of the Discloons by any Illinois court of compete	<u> </u>
[] No person direct Disclosing Party.		ctly owns 10% or more of the	
If "Yes," has the person en is the person in compliance		court-approved agreement for paym greement?	ent of all support owed and
[]Yes []No	1		

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

1. Pursuant to Municipal Code Chapter 1-23, Article I ("Article I")(which the Applicant should consult for defined terms (e.g., "doing business") and legal requirements), if the Disclosing Party submitting this EDS is the Applicant and is doing business with the City, then the Disclosing Party certifies as follows: (i) neither the Applicant nor any controlling person is currently indicted or charged with, or has admitted guilt of, or has ever been convicted of, or placed under supervision for, any criminal offense involving actual, attempted, or conspiracy to commit bribery, theft, fraud, forgery, perjury, dishonesty or deceit against an officer or employee of the City or any sister agency; and (ii) the Applicant understands and acknowledges that compliance with Article I is a continuing requirement for doing business with the City. NOTE: If Article I applies to the Applicant, the permanent compliance timeframe in Article I supersedes some five-year compliance timeframes in certifications 2 and 3 below.

#### Page 4 of 13

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

with the Matter, including but not limited to all persons or legal entities disclosed under Section IV, "Disclosure of Subcontractors and Other Retained Parties");

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

#### Page 5 of 13

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

- a. bribed or attempted to bribe, or been convicted or adjudged guilty of bribery or attempting to bribe, a public officer or employee of the City, the State of Illinois, or any agency of the federal government or of any state or local government in the United States of America, in that officer's or employee's official capacity;
- b. agreed or colluded with olher 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
- c. h~ave~n~oTbeen~prosecutedTorsuch 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 ofthe United States of America that contains the same elements as the offense of bid-rigging or bid-rotating.

00 0

- 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:

rr:-~--

#### Page 6 of 13

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

8. To the best ofthe 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").

### **JvLB**

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.

11)*OK*)*L* 

File #:	SO2015-6429,	Version:	1
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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 ofthe privilege of doing business with the City."

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

#### Page 7 of 13

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

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

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

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

[] Yes j^No

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

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

File #: SO2015-6429, Version: 1								
meaning of this Part D.	J	1						

Does the Matter involve a City Property Sale?

[]Yes [JNo

3. If you checked "Yes" to Item D.l., provide the names arid 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

Page 8 of 13

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

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

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

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

#### A. CERTIFICATION REGARDING LOBBYING

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

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

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

#### Page 9 of 13

- 3. The Disclosing Party will submit an updated certification at the end of each calendar quarter in which there occurs any event that materially affects the accuracy of the statements and information set forth in paragraphs A.l. and A.2. above.
- 4. The Disclosing Party certifies that either: (i) it is not an organization described in section 501(c)(4) of the Internal Revenue Code of 1986; or (ii) it is an organization described in section 501(c)(4) of the Internal Revenue Code of 1986 but has not engaged and will not engage in "Lobbying Activities".
- 5. If the Disclosing Party is the Applicant, the Disclosing Party must obtain certifications equal in form and substance to paragraphs A.l. through A.4. above from all subcontractors before it awards any subcontract and the Disclosing Party must maintain all such subcontractors' certifications for the duration of the Matter and must make such certifications promptly available to the City upon request.

#### B. CERTIFICATION REGARDING EQUAL EMPLOYMENT OPPORTUNITY

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

uant to applicable federal
of Federal Contract due under the applicable
equal
equal
3

Page 10 of 13

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

The Disclosing Party understands and agrees that:

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

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

File #:	SO2015-6429,	Version:	1
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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 ofthe Municipal Code (imposing PERMANENT INELIGIBILITY for certain specified offenses), the information provided herein regarding eligibility must be kept current for a longer period, as required by Chapter 1-23 and Section 2-154-020 of the Municipal Code.

The Disclosing Party represents and warrants that:

#### Page 11 of 13

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

NOTE: If the Disclosing Party cannot certify as to any of the items in F.L, F.2. or F.3. above, an

File #: SO2015-6429, Version: 1								
explanatory statement must be attached to this EDS.	_	_·						
CERTIFICATION								

Under penalty of perjury, the person sighing 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 arid Appendix A (if applicable) are true, accurate and complete as of the date furnished to the City.'

Robert W. Storm 2005 Dynasty Trust for Christine

(Print or type name of Disclosing Party)

By:  $fl\&s* v^{\wedge}TT^{\wedge}$  (Sign here)

Christine M. Storm

(Print or type name of person signing)

Co-Trustee

(Print or type title of person signing)

Signed and sworn to before me on (date)

at  $(_0, (_r \text{ County}, Xj(/, < L/i s (state)).$ 

Notary Public.

'OFFICIAL SEAL' ERIC Y KENNEY

Notary Public - Stat8 My Commission Expires July

Commission expires:  $^{\prime}$ I L "7  $^{\prime}$ t $^{\prime}$ 1

*u*Page 12 of 13

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

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

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

Under Municipal Code Section 2-154-015, the Disclosing Party must disclose whether such Disclosing Party

File #: SO2015-6429, Version: 1

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

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

[] Yes [XJ 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.

Page 13 of 13

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

#### BUILDING CODE SCOFFLAW/PROBLEM LANDLORD CERTIFICATION

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

1. Pursuant to Municipal Code Section 2-154-010, is the Applicant or any Owner identified as a building code scofflaw or problem landlord pursuant to Section 2-92-416 of the Municipal Code?

le #: SO2015-6429, <b>Ve</b>	rsion: 1		
	1		
[ JYes	(xfNo	_	
	ified as a building code scofflaw	d on any exchange, is any officer or problem landlord pursuant to S	
[]Yes	[ ]No	^NotApplicable	

3. If yes to (I) or (2) above, please identify below the name of the person or legal entity identified as a building code scofflaw or problem landlord and the address of the building or buildings to which the pertinent code violations apply.

FILLING OUT THIS APPENDIX B CONSTITUTES ACKNOWLEDGMENT AND AGREEMENT THAT THIS APPENDIX B IS INCORPORATED BY REFERENCE INTO, AND MADE A PART OF, THE ASSOCIATED EDS, AND THAT THE REPRESENTATIONS MADE IN THIS APPENDIX B ARE SUBJECT TO THE CERTIFICATION MADE UNDER PENALTY OF PERJURY ON PAGE 12 OF THE ASSOCIATED EDS.

# 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:

U.S. URBAN PROPERTIES CORP.

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

Indicate whether the Disclosing Party submitting this EDS is:

1. [] the Applicant

OR

F

-lie #: 502015-6429, <b>version:</b> 1	
	t or indirect interest in the Applicant. State the legal name of the ng Party holds an interest: ESSEX HOTEL OWNER, LLC
3. [] a legal entity with a right of corwhich the Disclosing Party holds a right	ntrol (see Section II.B.l.) State the legal name of the entity in ght of control:
B. Business address of the Disclosing I	Party: 160 GREENTREE DRIVE, SUITE 101, DOVER, DE 19904, KENT COUNTY
C. Telephone: +44 2079717800 <mailto:iaslam@quadrumglobal.com< td=""><td>Fax: +44 2079717830 Email: iaslam@quadrumglobal.com</td></mailto:iaslam@quadrumglobal.com<>	Fax: +44 2079717830 Email: iaslam@quadrumglobal.com
D. Name of contact person: ILYAS AS	S LAM .
E. Federal Employer Identification No.	(if you have one):, ;
which this EDS pertains. (Include pro APPLICATION FOR CLASS L PRO FOR PROPERTY LOCATED AT 800	action or other undertaking (referred to below as the "Matter") to bject number and location of property, if applicable): PERTY TAX INCENTIVE AND PLANNED DEVELOPMENT O SOUTH MICHIGAN AVENUE  is requesting this EDS? PLANNING AND DEVELOPMENT
If the Matter is a contract being complete the following:	handled by the City's Department of Procurement Services, please
Specification #	and Contract #
Ver. 01-01-12 DISCLOSURE OF OWNERSHIP INTE	ERESTS
A. NATURE OF THE DISCI [7] Person [7] Publicly registered business corporation [8] Privately held business corporation [9] Sole proprietorship [9] General partnership	LOSING PARTY 1. Indicate the nature of the Disclosing Party:  [ ]  [ ]  [ ]  [ ]

File #: SO2015-6429, V	ersion: 1	
Not-for-profit corporati	any Limited liability partnersh on ration also a 501(c)(3))? [] No	nip Joint venture
2. For legal entities	, the state (or foreign country)	) of incorporation or organization, if applicable:
3. For legal entities Illinois as a foreign enti	_	Illinois: Has the organization registered to do business in the State of
[] Yes	•  XJ No .	: [ ] N/A
B. IF THE DISCLOSIN	NG PARTY IS A LEGAL EN	TITY:
profit corporations, also "no.members." For trus If the entity is a gene venture, list below the r	o list below all members, if an ts, estates or other similar enti- eral partnership, limited partne- name and title of each general	eutive officers and all directors of the entity. NOTE: For not-for- y, which are legal entities. If there are no such members, write ities, list below the legal titleholder(s). ership, limited liability company, limited liability partnership or joint partner, managing member, manager or any other person or entity losing Party. NOTE: Each legal entity listed below must submit an
Name Title		
ILNftfi fr5Lr\Y\		PRESENT
interest (including own	_	terning each person or entity having a direct or indirect beneficial ne Disclosing Party. Examples of such an interest include shares in a point venture,
	Page	e 2 of 13
similar entity. If none, s	state "None." NOTE: Pursuan e City may require any such a	t company, or interest of a beneficiary of a trust, estate or other t to Section 2-154-030 of the Municipal Code of Chicago additional information from any applicant which is reasonably
Name	Business Address	Percentage Interest in the Disclosing Party
RNSftVEE HQR.TV	\ ft\v\ER\ChH ?^Q9ERTW	9CC LAtt WET) CE.U.1D3. q^g^o

File #: SO2015-6	-6429, <b>Version:</b> 1				
v.Q. fiQ/v	f Lft TOHMSIIE.	VXOOfi^j LES	gftV\QAiE.S> f ^T.	SftW\?SOM .	
GAlfcSLNSEK	GfiA 3 VIS				

#### 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 Dd 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	Business	Relationship to Disclosing Party	Fees (indicate whether
retained or anticipated	Address	(subcontractor, attorney,	paid or estimated.) NOTE:
to be retained)		lobbyist, etc.)	"hourly rate" or "t.b.d." is
to be retained)		loodylst, etc.)	nounty rate of t.o.d. is not an acceptable respons

(Add sheets if necessary)

File # CO204F	6420 Version		
FIIE #: SO2015-	-6429, <b>Version:</b>		
`	• /		
X] Check her	e if the Disclos	ing Party has not retained, nor expects to retain, any such persons or entiti	es.
SECTION V -	CERTIFICATI	ONS	
A. COURT-OR	RDERED CHILD	SUPPORT COMPLIANCE - "	
	•	n 2-92-415, substantial owners of business entities that contract with the City must child support obligations throughout the contract's-term.	
	•	ndirectly owns 10% or more ofthe Disclosing Party been declared in arrearage on any Illinois court of competent jurisdiction?	
[] Yes	[] No	M No person directly or indirectly owns 10% or more of the Disclosing Party.	
	e person entered in that agreement?	nto a court-approved agreement for payment of all support owed and is the person in	
[] Yes	[ ] No		
B. FURTHER (	CERTIFICATIO	NS	
terms (e.g., "doi doing business v person is current supervision for, perjury, dishone understands and	ing business") and with the City, the tly indicted or chany criminal offersty or deceit agall acknowledges the	de Chapter 1 -23, Article I ("Article r')(which the Applicant should consult for defined d legal requirements), if the Disclosing Party submitting this EDS is the Applicant and in the Disclosing Party certifies as follows: (i) neither the Applicant nor any controlling arged with, or has admitted guilt of, or has ever been convicted of, or placed under ense involving actual, attempted, or conspiracy to commit bribery, theft, fraud, forgery inst an officer or employee of the City or any sister agency; and (ii) the Applicant nat compliance with Article I is a continuing requirement for doing business with the to the Applicant, the permanent compliance timeframe in Article I supersedes some five	,

#### Page 4 of 13

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 dentified in Section II.B.l. of this EDS:
  - a. are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from any transactions by any federal, state or local unit of government;
  - b. have not, within a five-year period preceding the date of this EDS, been convicted of a criminal offense, adjudged guilty, or had a civil judgment rendered against them in connection with: obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under a public transaction; a violation of federal or state antitrust statutes; fraud; embezzlement; theft; forgery; bribery; falsification or destruction of records; making false statements; or receiving stolen property;
  - 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").

#### Page 5 of 13

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

- a. bribed or attempted to bribe, or been convicted or adjudged guilty of bribery or attempting to bribe, a public officer or employee of the City, the State of Illinois, or any agency of the federal government or of any state or local government in the United States of America, in that officer's or employee's official capacity;
- 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 Section2-92 610 (Living Wage Ordinance).
- 4. Neither the Disclosing Party, Affiliated Entity or Contractor, or any of their employees, officials, agents or

File #: SO2015-6429, Version: 1
partners, is barred from contracting with any unit of state or local government as a result of engaging in or being convicted of (1) bid-rigging in violation of 720 ILCS 5/33E-3; (2) bid-rotating in violation of 720 ILCS 5/33E-4; or (3) any similar offense of any state or-of the United States of America that contains the same elements as the offense of bid-rigging or bid-rotating.
5. Neither the Disclosing Party nor any Affiliated Entity is listed on any of the following lists maintained by the Office of Foreign Assets Control of the U.S. Department of the Treasury or the Bureau of Industry and Security of the U.S. Department of Commerce or their successors: the Specially Designated Nationals List, the Denied Persons List, the Unverified List, the Entity List and the Debarred List.
6. The Disclosing Party understands and shall comply with the applicable requirements of Chapters 2-55 (Legislative Inspector General), 2-56 (Inspector General) and 2-156 (Governmental Ethics) of the Municipal Code.
7. If the Disclosing Party is unable to certify to any of the above statements in this Part B (Further Certifications), the Disclosing Party must explain below:
Page 6 of 13
If the letters "NA," the word "None," or no response appears on the lines above, it will be conclusively presumed that the Disclosing Party certified to the above statements.
8. To the best ofthe 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

File #: SO2015-6429, '	Version: 1	
L.J.		
a "financial institution"	' as defined in Section 2-32-45	5(b) of the Municipal Code.
2. If the Disclosin	g Party IS a financial institutio	n, then the Disclosing Party pledges:
that none of our affiliat Municipal Code. We u	tes is, and none of them will be	s defined in Chapter 2-32 of the Municipal Code. We further pledge come, a predatory lender as defined in Chapter 2-32 of the datory lender or becoming an affiliate of a predatory lender may the City."
	is a predatory lender within the	because it or any of its affiliates (as defined in Section 2-32-455(b) e meaning of Chapter 2-32 of the Municipal Code, explain here
	^	
		Page 7 of 13
	word "None," or no response closing Party certified to the ab	appears on the lines above, it will be conclusively ove statements.
D. CERTIFICATION	REGARDING INTEREST IN	CITY BUSINESS
Any words or terms the used in this Part D.	at are defined in Chapter 2-156	of the Municipal Code have the same meanings when
		funicipal Code: Does any official or employee of the City have a me of any other person or entity in the Matter?
NOTE~If "youchecke" Part E.	d "Yes""to"Iteiti-D.l-proceed-	to Items"D-2randi!)73-If-you-checked"No"-to Item D.L, proceed to
employee shall have a purchase of any proper legal process at the sui	financial interest in his or her or ty that (i) belongs to the City, t of the City (collectively, "Cit	we bidding, or otherwise permitted, no City elected official or own name or in the name of any other person or entity in the or (ii) is sold for taxes or assessments, or (iii) is sold by virtue of y Property Sale"). Compensation for property taken pursuant to the nancial interest within the meaning of this Part D.
Does the Matter involv	re a City Property Sale?	
t]Yes	[ ] No	
	'Yes" to Item D.l., provide the did identify the nature of such in	names and business addresses of the City officials or employees sterest:
Name	Rusiness Address	Nature of Interest

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

#### E. CERTIFICATION REGARDING SLAVERY ERA BUSINESS

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

Page 8 of 13

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

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

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

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

#### $H|f\setminus$

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

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

File #: SO2015-6429, Version: 1
to influence an officer or employee of any agency, as defined by applicable federal law, a member of Congress, an office or employee of Congress, or an employee of a member of Congress, in connection with the award of any federally funded contract, making any federally funded grant or loan, entering into any cooperative agreement, or to extend, continue, renew, amend, or modify any federally funded contract, grant, loan, or cooperative agreement.  Page 9 of 13
3. The Disclosing Party will submit an updated certification at the end of each calendar quarter in which ther occurs any event that materially affects the accuracy of the statements and information set forth in paragraphs A.l. an 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 Parly must obtain certifications equal in form and substance to paragraphs A.l. through A.4. above from all subcontractors before it awards any subcontract and the Disclosing Party must maintain all such subcontractors' certifications for the duration of the Matler 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 federa 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:

Page 10 of 13

File #: SO2015-6429, Version: 1

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

The Disclosing Party understands and agrees that:

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

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

- C. If the City determines that any information provided in this EDS is false, incomplete or inaccurate, any contract or other agreement in connection with which it is submitted may be rescinded or be void or voidable, and the City may pursue any remedies under the contract or agreement (if not rescinded or void), at law, or in equity, including terminating the Disclosing Party's participation in the Matter and/or declining to allow the Disclosing Party to participate in other transactions with the City. Remedies at law for a false statement of material fact may include incarceration and an award to the City of treble damages.
- D. 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 ofthe 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 ofthe Municipal Code (imposing PERMANENT INELIGIBILITY for certain specified offenses), the information provided herein regarding eligibility must be kept current for a longer period, as required by Chapter 1-23 and Section 2-154-020 of the Municipal Code.

The Disclosing Party represents and warrants that:

#### Page 11 of 13

F.l. The Disclosing Party is not delinquent in the payment of any tax administered by the Illinois Department of Revenue, nor are the Disclosing Party or its Affiliated Entities delinquent in paying any fine, fee, tax or other charge owed to the City. This includes, but is not limited to, all water charges, sewer charges, license fees, parking tickets, property taxes or sales taxes.

File #: SO2015-6429, Version: 1

. . .

- 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.l. 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 ofthe items in F.L, F.2. or F.3. above, an explanatory statement must be attached to this EDS.

#### **CERTIFICATION**

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

U.S. UP^M ^RQ?E£-\\EC, QOftP, (Print or type pameql\DiscIosing Party)

By:

(Sign here)

 $A^L^AL$ .

(Print or type name of person signing)

0,

(Print or type title of person signing)

at La^bofJ County, A\*\*!± (state).

Notary Public.

#### Commission expires: °^ h'&^rfi-f

Page 12 of 13

WENDY YUK WAN SYMQN \* NOTARY PUDUC Edward Young Limited Notary Public London 9 Carlos Place London W1K 3AT United Kingdom Tel: +4-1 (0) 2f) 7409 2S05 V/ww.nolaa'oiihlininSnnriori mm

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

File #: SO2015-6429, Vers	ion: 1	
interest in the Applicant exownership interest in the A	ceeding 7.5 percent. It is not to be completed by any legal entity which has only an ipplicant.	ndirect
"Applicable Party" or any official or department head any "Applicable Parry" or the city treasurer or any cit or adoption: parent, child,	Section 2-154-015, the Disclosing Parly must disclose whether such Disclosing Party Spouse or Domestic Partner thereof currently has a "familial relationship" with any et a. A "familial relationship" exists if, as of the date this EDS is signed, the Disclosing may Spouse or Domestic Partner thereof is related to the mayor, any alderman, the city department head as spouse or domestic partner or as any of the following, whether prother or sister, aunt or uncle, niece or nephew, grandparent, grandchild, father-in-later-in-law, stepfather or stepmother, stepson or stepdaughter, stepbrother or stepsister	Party or ty clerk, by blood aw, mother
Party is a corporation; all p partners and limited partner managing members and me principal officers of the Di Disclosing Party. "Principal	ns (1) all executive officers of the Disclosing Party listed in Section E.B.l.a., if the Dartners of the Disclosing Party, if the Disclosing Party is a general partnership; all general partnership; all managers of the Disclosing Party, if the Disclosing Party is a limited partnership; all managers of the Disclosing Party, if the Disclosing Party is a limited liability company; aclosing Party; and (3) any person having more than a 7.5 percent ownership interest of officers means the president, chief operating officer, executive director, chief finally of a legal entity or any person exercising similar authority.	eneral rs, ; (2) all ; in the
•	ty or any "Applicable Party" or any Spouse or Domestic Partner thereof currently ha an elected city official or department head?	ve a
[] Yes	[ ] No	
is connected; (3) the name	low (1) the name and title of such person, (2) the name of the legal entity to which su and title of the elected city official or department head to whom such person has a farecise nature of such familial relationship.	
	Page 13 of 13	
(	ITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVI APPENDIX B	T
BUILDING CODE	SCOFFLAW/PROBLEM LANDLORD CERTIFICATION	
	be completed only by (a) the Applicant, and (b) any legal entity which has a direct of ceeding 7.5 percent (an "Owner"). It is not to be completed by any legal entity which est in the Applicant.	
	al Code Section 2-154-010, is the Applicant or any Owner identified as a building collandlord pursuant lo Section 2-92-416 of the Municipal Code?	ode
[]Yes	[ ]No	

File #: SO2015-6429, Vers	ion: 1	
L J	L.J.	
		on-any exchange, is any officer or director of the Applicant andlord pursuant to Section 2-92-416 of the Municipal Code?
[]Yes	[ ]No	[] Not Applicable
3. If yes to (1) or (2) abo	ove, please identify below the	name of the person or legal entity
buildings to which the	ne pertinent code violations ap	ply.
THIS APPENDIX E ASSOCIATED EDS	IS INCORPORATED BY R S, AND THAT THE REPRES CERTIFICATION MADE U	TES ACKNOWLEDGMENT AND AGREEMENT THAT EFERENCE INTO, AND MADE A PART OF, THE ENTATIONS MADE IN THIS APPENDIX B ARE NDER PENALTY OF PERJURY ON PAGE 12 OF THE
		CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND

# AFFIDAVIT

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

Essex Hotel Owner, LLC .

**SECTION I -- GENERAL INFORMATION** 

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

Indicate whether the Disclosing Party submitting this EDS is:

1. [x] 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.B.l.) State the legal name of the entity in

File#	: SO2015-6429, <b>Version</b> :	1				
$\mathbf{w}$	hich the Disclosing Par	ty holds a right of co	ontrol:	, .		J
B. Bı	usiness address ofthe l	Disclosing Party:		ubbard, Suite 4 o, Illinois 60654		
C. <b><ma< b="">i</ma<></b>	Telephone: lto:speruri@oxford-c	312-506-4112 apital.com>	Fax:	Email:	speruri@oxf	ord-capital.com
D. Na	ame of contact person	: Sarang Peruri				
E. Fe	ederal Employer Identif	ication No. (if you h	nave one): j	; i		i
	rief description of contr EDS pertains. (Include p			• .		ter") to which
loca	lication for Planne ted at 800 South Mic <u>Thich City agency or d</u>			. ,		for property
	the Matter is a contract e following:	being handled by th	ne City's Depa	ertment of Procu	rement Services,	please complete
Sp	pecification #		and C	ontract #		
Page	1 of 13					
SEC'	TION II DISCLOSU	RE OF OWNERSH	IP INTERES	ΓS		
A. N	ATURE OF THE DISC	CLOSING PARTY I	ſ.			
P P P S C	ndicate the nature of the Person Publicly registered busin Privately held business of Sole proprietorship General partnership	ness corporation	[] Limito [] Joint v [] Not-fo (Is the not [] Yes [	or-profit corpora ot-for-profit corp ] No	nership ation poration also a 50	l(c)(3))?
Τ	rust		[] Other	(please specify)	)	

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

File #: SO2015-6429, Version	n: 1 					
,	•	O v,		0	, .	
Delaware						
3. For legal entities no business in the State of Illi	•		is: Has the organ	nization regis	stered"to d	0
[] Yes	[)\$ No		[] N/A			
B. IF THE DISCLOSING	PARTY IS A LE	EGAL ENTITY	<b>:</b>			
1. List below the full renot-for-profit corporations, members, write "no members, write is a general partnership or joint venture or any other person or entitlegal entity listed below me	, also list below a ers." For trusts, e partnership, limie, list below the n ty that controls the	all members, if states or other ited partnership ame and title one day-to-day n	any, which are lessimilar entities, less, limited liability of each general paranagement of the	egal entities. ist below the y company, l artner, mana	If there are legal title limited liab	e no such cholder(s). oility per, manager
Name Title						
OQ Essex. LLC		٨	Manager			
2. Please provide the forbeneficial interest (includir include shares in a corpora	ng ownership) in	excess of 7.5%	ofthe Disclosing	g Party. Exa	_	
		Page 2 o	f 13			
interest of a member or ma other similar entity. If none Chicago ("Municipal Code reasonably intended to ach	e, state "None." Ne"), the City may	NOTE: Pursuan require any suo	t to Section 2-15	54-030 ofthe	Municipal	Code of
Name	Business Add	dress		tage Interest	t in the	
QBD Properties LLC		m Real Estat Portland Stre	e LLP	sing Party  1JKP%		

 $L^{\wedge} dolTWIW~5QZrDriife'd~KingrTom^{\pm}$ 

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

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

[] Yes MNo

If yes, please identify below the 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 1.3

retained or anticipated to be retained)

DLA Piper LLP (US)

Address (subcontractor, attorney, lobbyist, etc.)

203 N LaSalle Street, Suite 1900

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

not an acceptable response. Attorney \$10,000 (est.)

Chicago, Illinois 60601

File #: SO2015-	-6429, <b>Versio</b> i	n: 1							
			J	•					
Hartshorne (est.;	Plunkard	232	North	Carpenter	Street,	Chicago,	IL 60607	Architect	\$20,000
200 S. Wacke	er Dr., Suite	3100	) Fin	ancial Cons	ultant	\$15,000 (6	est.;		
"(Class L only (Add sheets ii	•								
[] Check here	if the Disclo	osing l	Party ha	s not retained	l, nor exp	ects to retain	n, any such pe	rsons or entit	ies.

# **SECTION V - CERTIFICATIONS**

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

- -- -Under^^ M-unieipal-Gode-Section-2-9-2-415<sub>r</sub>substantial owners of business entities-that-eontract-with- the City must remain in compliance with their child support obligations throughout the contract's term.

Has any person who directly orindirectly ownsT0% or more of the Disclosing Party been declared in arrearage on any child support obligations by any Illinois court of competent jurisdiction?

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

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

[]Yes []No

# **B. FURTHER CERTIFICATIONS**

1. Pursuant to Municipal Code Chapter 1-23, Article I ("Article I")(which the Applicant should consult for defined terms (e.g., "doing business") and legal requirements), if the Disclosing Party submitting this EDS is the Applicant and is doing business with the City, then the Disclosing Party certifies as follows: (i) neither the Applicant nor any controlling person is currently indicted or charged with, or has admitted guilt of, or has ever been convicted of, or placed under supervision for, any criminal offense involving actual, attempted, or conspiracy to commit bribery, theft, fraud, forgery, perjury, dishonesty or deceit against an officer or employee of the City or any sister agency; and (ii) the Applicant understands and acknowledges that compliance with Article I is a continuing requirement for doing business with the City. NOTE: If Article I applies to the Applicant, the permanent compliance timeframe in Article I supersedes some five-year compliance timeframes in certifications 2 and 3 below.

Page 4 of 13

2. The Disclosing Party and, if the Disclosing Party is a legal entity, all of those persons or entities

identified in Section II.B.l. of this EDS:

a. are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from any transactions by any federal, state or local unit of government;

- b. have not, within a five-year period preceding the date of this EDS, been convicted of a criminal offense, adjudged guilty, or had a civil judgment rendered against them in connection with: obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under a public transaction; a violation of federal or state antitrust statutes; fraud; embezzlement; theft; forgery; bribery; falsification or destruction of records; making false statements; or receiving stolen property;
- c. are not presently indicted for, or criminally or civilly charged by, a governmental entity (federal, state or local) with committing any of the offenses set forth in clause B.2.b. of this Section V;
- d. have not, within a five-year period preceding the date of this EDS, had one or more public transactions (federal, state or local) terminated for cause or default; and
- e. have not, within a five-year period preceding the date of this EDS, been convicted, adjudged guilty, or found liable in a civil proceeding, or in any criminal or civil action, including actions concerning environmental violations, instituted by the City or by the federal government, any state, or any other unit of local government.
- 3. The certifications in subparts 3, 4 and 5 concern:
- the Disclosing Party;
- any "Contractor" (meaning any contractor or subcontractor used by the Disclosing Party in connection with the Matter, including but not limited to all persons or legal entities disclosed under Section IV, "Disclosure of Subcontractors and Other Retained Parties");
- any "Affiliated Entity" (meaning a person or entity that, directly or indirectly: controls the Disclosing Party, is controlled by the Disclosing Party, or is, with the Disclosing Party, under common control of another person or entity. Indicia of control include, without limitation: interlocking management or ownership; identity of interests among family members, shared facilities and equipment; common use of employees; or organization of a business entity following the ineligibility of a business entity to do business with federal or state or local government, including the City, using substantially the same management, ownership, or principals as the ineligible entity); with respect to Contractors, the term Affiliated Entity means a person or entity that directly or indirectly controls the Contractor, is controlled by it, or, with the Contractor, is under common control of another person or entity;
- any responsible official of the Disclosing Party, any Contractor or any Affiliated Entity or any other official, agent or employee of the Disclosing Party, any Contractor or any Affiliated Entity, acting pursuant to the direction or authorization of a responsible official of the Disclosing Party, any Contractor or any Affiliated Entity (collectively "Agents").

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

- a. bribed or attempted to bribe, or been convicted or adjudged guilty of bribery or attempting to bribe, a public officer or employee of the City, the State of Illinois, or any agency of the federal government or of any state or local government in the United States of America, in that officer's or employee's official capacity;
- b. agreed or colluded with other bidders or prospective bidders, or been a 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; of
- 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 ofthe above statements in this Part B (Further Certifications), the Disclosing Party must explain below:

None

File #: SO2015-6429, Version:	File	#:	SO2015-6429.	Version:	1
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If the letters "NA," the word "None," or no response appears on the lines above, it will be conclusively presumed that the Disclosing Party certified to the above statements.

- 8. To the best of the Disclosing Party's knowledge after reasonable inquiry, the following is a complete list of all current employees of the Disclosing Party who were, at any time during the 12-month period preceding the execution date of this EDS, an employee, or elected or appointed official, of the City of Chicago (if none, indicate with "N/A" or "none"). None
- 9. To the best of the Disclosing Party's knowledge after reasonable inquiry, the following is a complete list of all gifts that the Disclosing Party has given or caused to be given, at any time during the 12-month period preceding the execution date of this EDS, to an employee, or elected or appointed official, of the City of Chicago. For purposes of this statement, a "gift" does not include: (i) anything made generally available to City employees or to the general public, or (ii) food or drink provided in the course of official City business and having a retail value of less than \$20 per recipient (if none, indicate with "N/A" or "none"). As to any gift listed below, please also list the name of the City recipient. None

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

- 1. The Disclosing Party certifies that the Disclosing Party (check one)
- 1. [] is  $0^{\circ}$  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 Municipat 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):

File #: SO2015-6429, Version:		-
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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 acc	ordance with	n Section 2-156-	110 of the Munici	pal Code: Do	es any official or	r employee ofth	e City
have a	financ	ial interest i	n his or her own	name or in the na	me of any oth	ner person or enti	ity in the Matter	r?
[]	Yes	•	[XJ No					

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

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

Does the Matter involve a City Property Sale?

[] Yes [] 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

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

#### E. CERTIFICATION REGARDING SLAVERY ERA BUSINESS

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

Page 8 of 13

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

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

N/A

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

2. The Disclosing Party has not spent and will not expend any federally appropriated funds to pay any person or entity listed in Paragraph A.l. above for his or her lobbying activities or to pay any person or entity to influence or attempt to influence an officer or employee of any agency, as defined by applicable federal law, a member of Congress, an officer or employee of Congress, or an employee of a

File #: SO2015-6429, Vers	ion: 1
federally funded gran	in connection with the award of any federally funded contract, making any t or loan, entering into any cooperative agreement, or to extend, continue, renew, rederally funded contract, grant, loan, or cooperative agreement.  Page 9 of 13
	arty will submit an updated certification at the end of each calendar quarter in which that materially affects the accuracy of the statements and information set forth in above.
ofthe Internal Revenue C	Party certifies that either: (i) it is not an organization described in section 501(c)(4) Code of 1986; or (ii) it is an organization described in section 501(c)(4) of the Internal out has not engaged and will not engage in "Lobbying Activities".
and substance to paragra and the Disclosing Party	Party is the Applicant, the Disclosing Party must obtain certifications equal in form phs A.l. through A.4. above from all subcontractors before it awards any subcontract must maintain all such subcontractors' certifications for the duration of the Matter and ations promptly available to the City upon request.
B. CERTIFICATION RI	EGARDING EQUAL EMPLOYMENT OPPORTUNITY
•	funded, federal regulations require the Applicant and all proposed subcontractors to ormation with their bids or in writing at the outset of negotiations.
Is the Disclosing Party th	ne Applicant?
[] Yes	[ ] No
If "Yes," answer the three	re questions below:
1. Have you developed regulations? (See 41 CFI	ed and do you have on file affirmative action programs pursuant to applicable federal R Part 60-2.) [] No
•	ith the Joint Reporting Committee, the Director of the Office of Federal Contract r the Equal Employment Opportunity Commission all reports due under the applicable
[] Yes	[ ] No
3. Have you participopportunity clause? []Yes []No	pated in any previous contracts or subcontracts subject to the equal
If you checked "No" to o	juestion 1. or 2. above, please provide an explanation:

Page 10 of 13

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

The Disclosing Party understands and agrees that:

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

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

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

File #: SO2015-6429, Version: 1		

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

The Disclosing Party represents and warrants that:

·_·, _	•_	_	Page 11 of 13

- F.l. The Disclosing Party is not delinquent in the payment of any tax administered by the Illinois Department of Revenue, nor are the Disclosing Party or its Affiliated Entities delinquent in paying any fine, fee, tax or other charge owed to the City. This includes, but is not limited to, all water charges, sewer charges, license fees, parking tickets, property taxes or sales taxes.
- F.2 If the Disclosing Party is the Applicant, the Disclosing Party and its Affiliated Entities will not use, nor permit their subcontractors to use, any facility listed by the U.S. E.P.A. on the federal Excluded Parties List System ("EPLS") maintained by the U.S. General Services Administration.
- F.3 If the Disclosing Party is the Applicant, the Disclosing Party will obtain from any contractors/subcontractors hired or to be hired in connection with the Matter certifications equal in form and substance to those in F.l. 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 ofthe 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.

# **Essex Hotel Owner, LLC**

(Print or type nome of Disclosing Psrty)

By:

(Sign here)

# John W. Rutledge

(Print or type name of person signing)

Manager of Oxford Essex Member, LLC, the manager of OQ Essex, LLC, the Disclosing Party's manager

File #: SO2015-6429, Version: 1	
(Print or type title of person signing)	
Signed^and sworn to before me on (date) O ju ji^-f	
at M3b County, $CJ>C_A(<\6/S \text{ (state)}.$	

OFFICIAL SEAL KRISHNA SIPIC NOTARY PUBLIC - STATE OF ILLINOIS MY COMMISSION EXPIRES:09/08/17

Notary Public.

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

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

[] Yes [y] No

I//-C--

If yes, please identify below (1) the name and title of such person, (2) the name of the legal entity to which

File #: SO2015-6429, <b>V</b>	ersion: 1
*	red; (3) the name and title of the elected city official or department head to whom such elationship, and (4) the precise nature of such familial relationship.
	Page 13 of 13
	CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND
	AFFIDAVIT APPENDIX B

# BUILDING CODE SCOFFLAW/PROBLEM LANDLORD CERTIFICATION

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

any legal entity which has t	only an indirect ownership	miterest in the Applicant.
		e Applicant or any Owner identified as a building ion 2-92-416 of the Municipal Code?
[ ]Yes [XjNo		
11	• •	ny exchange, is any officer or director of the roblem landlord pursuant to Section . 2-92-416 of
[]Yes	[ ]No	[X] Not Applicable
3. If yes to (1) or (2) above	please identify below the na	ame of the person or legal entity

3. If yes to (1) or (2) above, please identity below the name of the person or legal entity identified as a building code scofflaw or problem landlord and the address of the building or buildings to which the pertinent code violations apply.

FILLING OUT THIS APPENDIX B CONSTITUTES ACKNOWLEDGMENT AND AGREEMENT THAT THIS APPENDIX B IS INCORPORATED BY REFERENCE INTO, AND MADE A PART OF, THE ASSOCIATED EDS, AND THAT THE REPRESENTATIONS MADE IN THIS APPENDIX B ARE SUBJECT TO THE

# CERTIFICATION MADE UNDER PENALTY OF PERJURY ON PAGE 12 OF THE ASSOCIATED EDS.

# 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: Storm Investments LP

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
- 2. Applicant in which the Disclosing Party holds an interest:

 $\Omega$ R

- 3. [] a legal entity with a right of control (see Section II.B.l.) State the legal name of the entity in
- 3. which the Disclosing Party holds a right of control:
- 4. [X] Property Owner
- B. Business address of the Disclosing Party: 10 South Liberty Drive

# South Barrington, IL 60010

- C. Telephone: 847-426-8699 Fax: NA Email: rwstormsr@sbcglobal.net <mailto:rwstormsr@sbcglobal.net>
- D. Name of contact person: Robert Storm .-
- E. Federal Employer Identification No. (if you have one):
- F. Brief description of contract, transaction or other undertaking (referred to below as the "Matter") to which this EDS pertains. (Include project number and location of property, if applicable):

File #: SO2015-6429, Vers	ion: 1
South Michigan Avenu	ed Development and Class L Property tax incentive for property located at 800 ue. department is requesting this EDS? Department of Planning & Development
If the Matter is a control complete the following	ract being handled by the City's Department of Procurement Services, please g:
Specification #	and Contract #
Page 1 of 13	
SECTION II - DISCLOS	SURE OF OWNERSHIP INTERESTS
A. NATURE OF THE D	DISCLOSING PARTY
[] Person [] Publicly registered bu [] Privately held busines [] Sole proprietorship [] General partnership t>3 Limited partnership [] Trust	1 1
3. For legal entities not the State of Illinois as a f	ot organized in the State of IllinoisrHas-the-organization registered to db-1_ business in foreign entity?
[] Yes	MNo [jN/A
B. IF THE DISCLOSING	G PARTY IS A LEGAL ENTITY:
not-for-profit corporation members, write "no mem If the entity is a gener partnership or joint ventu or any other person or en	I names and titles of all executive officers and all directors of the entity. NOTE: For its, also list below all members, if any, which are legal entities. If there are no such abers." For trusts, estates or other similar entities, list below the legal titleholder(s). all partnership, limited partnership, limited liability company, limited liability are, list below the name and title of each general partner, managing member, manager tity that controls the day-to-day management of the Disclosing Party. NOTE: Each must submit an EDS on its own behalf.
Name	Title ^

File	#:	SO201	5-6429.	Version:	1
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2. Please provide the following information concerning each person or entity having a direct or indirect beneficial interest (including ownership) in excess of 7.5% of the Disclosing Party. Examples of such an interest include shares in a corporation, partnership interest in a partnership or joint venture,

Page 2 of 13

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

Name " Business Address Percentage Interest in the Disclosing Party

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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 Cily whether disclosure is required or make the disclosure.

# Page 3 of 13

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

Relationship to Disclosing Party Fees (indicate whether paid or estimated.) NOTE:

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(Add sheets if necessary)

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

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

# A. COURT-ORDERED CHILD SUPPORT COMPLIANCE

Under-M-unicipal-Gode-Section-2-92-415,-substantial-0-wners of..DAisineASJ^ities.-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. 1.0%\_or more of the Disclosing Party been declared in arrearage on any child support obligations by any Illinois court of competent jurisdiction?

[] 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?

[JYes []No

#### B. FURTHER CERTIFICATIONS.

1. Pursuant to Municipal Code Chapter 1-23, Article I ("Article I")(which the Applicant should consult for defined terms (e.g., "doing business") and legal requirements), if the Disclosing Party submitting this EDS is the Applicant and is doing business with the City, then the Disclosing Party certifies as' follows: (i) neither the Applicant nor any controlling person is currently indicted or charged with, or has admitted guilt of, or has ever been convicted of, or placed under supervision for, any criminal offense involving actual, attempted, or conspiracy to commit bribery, theft, fraud, forgery, perjury, dishonesty or deceit against an officer or employee of the City or any sister agency; and (ii) the Applicant understands and acknowledges that compliance with Article I is a continuing requirement for doing business with the City. NOTE: If Article I applies to the Applicant, the permanent compliance timeframe in Article I supersedes some five-year compliance timeframes in certifications 2 and 3 below.

# Page 4 of 13

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

Subcontractors and Other Retained Parties");

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

# Page 5 of 13

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

- a. bribed or attempted to bribe, or been convicted or adjudged guilty of bribery or attempting to bribe, a public officer or employee ofthe City, the State of Illinois, or any agency ofthe 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 ofthe following lists maintained by the Office of Foreign Assets Control of the U.S. Department of the Treasury or the Bureau of Industry and Security of the U.S. Department of Commerce or their successors: the Specially Designated Nationals List, the Denied Persons List, the Unverified List, the Entity List and the Debarred List.

- 6. The Disclosing Party understands and shall comply with the applicable requirements of Chapters 2-55 (Legislative Inspector General), 2-56 (Inspector General) and 2-156 (Governmental Ethics) of the Municipal Code.
- 7. If the Disclosing Party is unable to certify to any of the above statements in this Part B (Further Certifications), the Disclosing Party must explain below:

# Page 6 of 13

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

8. To the best of the Disclosing Party's knowledge after reasonable inquiry, the following is a complete list of all current employees of the Disclosing Party who were, at any time during the 12-month period preceding the execution date of this EDS, an employee, or elected or appointed official, of the City of Chicago (if none, indicate with "N/A" or "none").

# **JKLB**

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.

# hJOK)C

# C. CERTIFICATION OF STATUS AS FINANCIAL INSTITUTION

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

1. [] is j>^is not

a "financial institution" as defined in Section 2-32-455(b) of the Municipal Code.

2. If the Disclosing Party IS a financial institution, then the Disclosing Party pledges:

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

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

# Page 7 of 13

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

- f/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

File #:	SO2015-6429,	Version:	1
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1. List below the names of all persons or entities registered under the federal Lobbying Disclosure Act of 1995 who have made lobbying contacts on behalf of the Disclosing Party with respect to the Matter: (Add sheets if necessary):

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

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

Page 9 of 13

- 3. The Disclosing Party will submit an updated certification at the end of each calendar quarter in which there occurs any event that materially affects the accuracy of the statements and information set forth in paragraphs A.l. and A.2. above.
- 4. The Disclosing Party certifies that either: (i) it is not an organization described in section 501(c)(4) of the Internal Revenue Code of 1986; or (ii) it is an organization described in section 501(c)(4) of the Internal Revenue Code of 1986 but has not engaged and will not engage in "Lobbying Activities".
- 5. If the Disclosing Party is the Applicant, the Disclosing Party must obtain certifications equal in form and substance to paragraphs A.l. through A.4. above from all subcontractors before it awards any subcontract and the Disclosing Party must maintain all such subcontractors' certifications for the duration of the Matter and must make such certifications promptly available to the City upon request.

# B. CERTIFICATION REGARDING EQUAL EMPLOYMENT OPPORTUNITY

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

Is the Disclosing Party the Applicant?

[]Yes []No If "Yes," answer the three questions

below:

File #: SO2015-6429,	Version:	1
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	1. Have y	ou deve	eloped	and c	lo you	have	on i	file	affirmative	action	programs	pursuant	to ap	plicable	federal
re	egulations?	(See 41	CFR F	Part 6	0-2.)										

[] Yes [JNo

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

[]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:

# Page 10 of 13

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

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

#### **CERTIFICATION**

Under penalty of perjury, the person signing below: (1) warrants that he/she is authorized to execute this EDS and Appendix A (if applicable) on behalf ofthe 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.

Storm Investments LP

(Print or'type'name of Disclosing Party)

By: 
$$R_{t} £^d U > j £\%5t^-$$
 (Sign here)

Robert W. Storm

(Print or type name of person signing)

General Partner

(Print or type title of person signing)

Signed and sworn to before me on (date) S / '-ffa' & , 
$$f^{\wedge \wedge \wedge \wedge}iS^{\wedge}L'^{\wedge}$$
 at fjsvk- County, C((.^<. (state/ Notary Public. ? . My Commission Expire^y27^19^^

Commission expires: -\$Z  $7 \sim j^{\land, \land} | \frac{C3}{i}$ 

# CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT APPENDLX 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 ofthe following, whether by blood or adoption: parent, child, brother or sister, aunt or uncle, niece or nephew, grandparent, grandchild, father-in-law, mother-in-law, son-in-law, daughter-in-law, stepfather or stepmother, stepson or stepdaughter, stepbrother or stepsister or half-brother or half-sister.

"Applicable Party" means (1) all executive officers of the Disclosing Party listed in Section n.B. La., if the Disclosing Party is a corporation; all partners of the Disclosing Party, if the Disclosing Party is a general partnership; all general partners and limited partners of the Disclosing Party, if the Disclosing Party is a limited partnership; all managers, managing members and members of the Disclosing Party, if the Disclosing Party is a limited liability company; (2) all principal officers of the Disclosing Party; and (3) any person having more than a 7.5 percent ownership interest in the Disclosing Party. "Principal officers" means the president, chief

operating officer, executive director, chief financial officer, treasurer or secretary of a legal entity or any person exercising similar authority.

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

[ JYes

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.

# Page 13 of 13

# CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT APPENDIX B

# BUILDING CODE SCOFFLAW/PROBLEM LANDLORD CERTIFICATION

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

1. Pursuant to Municipal Code Section 2-154-010, is the Applicant or any Owner identified as a building code scofflaw or problem landlord pursuant to Section 2-92-416 of the Municipal Code?

 $^{r}>4N<$ 

f JYes f>^No

If the Applicant is a legal entity publicly traded on any exchange, is any officer or director of the Applicant identified as a building code scofflaw or problem landlord pursuant to Section 2-92-416 of the Municipal Code?

[]Yes []No ty\$NotApplicable

3. If yes to (1) or (2) above, please identify below the name, of the person or legal entity identified as a building code scofflaw or problem landlord and the address of the building or buildings to which the pertinent code violations apply.

FILLING OUT THIS APPENDIX B CONSTITUTES ACKNOWLEDGMENT AND AGREEMENT THAT THIS APPENDIX B IS INCORPORATED BY REFERENCE INTO, AND MADE A PART OF, THE ASSOCIATED EDS, AND THAT THE REPRESENTATIONS MADE IN THIS APPENBTX B ARE SUBJECT TO THE CERTD7ICATION MADE UNDER PENALTY OF PERJURY ON PAGE 12 OF THE ASSOCIATED EDS.