



Office of the City Clerk

City Hall
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Legislation Details (With Text)

File #: SO2016-1631
Type: Ordinance
Status: Passed
File created: 3/16/2016
In control: City Council
Final action: 6/22/2016
Title: Zoning Reclassification Map No. 9-F at 3901 N Broadway - App No. 18706
Sponsors: Misc. Transmittal
Indexes: Map No. 9-F
Attachments: 1. SO2016-1631.pdf, 2. O2016-1631.pdf

Date	Ver.	Action By	Action	Result
6/22/2016		City Council	Passed as Substitute	Pass
6/20/2016	1	Committee on Zoning, Landmarks and Building Standards	Recommended to Pass	
6/20/2016	1	Committee on Zoning, Landmarks and Building Standards	Substituted in Committee	Pass
4/26/2016	1	Committee on Zoning, Landmarks and Building Standards	Held in Committee	Pass
3/16/2016	1	City Council	Referred	

**FINAL FOR
PUBLICATION**

ORDINANCE

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

SECTION 1. Title 17 of the Municipal Code of Chicago, the Chicago Zoning Ordinance, is hereby amended by changing all of the B3-2, Community Shopping District symbols shown on Map 9-F. in the area generally bounded by:

A line beginning at a point 206.10 feet north of West Sheridan Rd. extended east 100 feet to a point 200.56 feet north of West Sheridan Rd.; a line 100 feet east of North Broadway Street; West Sheridan Rd.; and North Broadway Street

to the designation of B3-5, Community Shopping District. .

SECTION 2. Title 17 of the Municipal Code of Chicago, the Chicago Zoning Ordinance, is hereby amended by changing all of the B3-5, Community Shopping District symbols shown on Map 9-F in the area generally bounded by:

A line beginning at a point 206.10 feet north of West Sheridan Rd. extended east 100

feet to a point 200.56 feet north of West Sheridan Rd.; a line 100 feet east of North Broadway Street; West Sheridan Rd.; and North Broadway Street

to those of a Residential-Business Planned Development, subject to the use and bulk regulations set forth in the Plan of Development attached hereto and made a part hereof.

SECTION 3. This ordinance takes effect after its passage and approval.

Common Address: 3901 North Broadway

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RESIDENTIAL-BUSINESS PLANNED DEVELOPMENT No.

Plan of Development Statements

1. The area delineated herein as Residential-Business Planned Development No. ("Planned Development"), consists of approximately 20,307 square feet (0.466 acres) of property located at 3901 North Broadway Street (the "Property"), as more fully depicted on the attached Planned Development Boundary and Property Line Map. The Property is under the single designated control of the Applicant, Vermilion Acquisitions, LLC.
2. 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

, Property, at the time of application for an amendment, modification or change (administrative, legislative or otherwise) to this Planned Development is made, shall be under single ownership or single designated control. Single designated control is defined in Section 17-8-0400 of the Zoning Ordinance.

3. 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 Department of Transportation on behalf of the Applicant or its successors, assigns or grantees and approval by the City Council.

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 Departments of Planning and Development ("DPD") and Transportation. Closure of all or any public street or alley during demolition or construction shall be subject to the review and approval of the Department of Transportation.

All work proposed in the public way must be designed and constructed in accordance with the Department of Transportation Construction 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 the Department of Transportation.

- . 4. This Plan of Development consists of Sixteen Statements; a Bulk Regulations and Data Table; an Existing Zoning Map; an Existing Use Map; a Planned Development Property Line & Boundary Map; Site Plan; Level 2 Plan; Ground Floor/Landscape Plan;

Applicant: Vermilion Acquisitions. LLC
Address- .3901 North Broadway Street
Date Introduced- March 16, 2016 Plan
Commission: June 16, 2016

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Landscape/Green Roof Plan; Level 3 Landscape Plan; and Building Elevations prepared by Hirsch Associates LLC dated June 16, 2016.

5. The following uses are permitted in the area delineated herein as a Residential-Business Planned Development: Residential dwelling units (located above the ground floor); financial services; office; retail sales; food and beverage retail sales; eating and drinking establishments (excluding drive-thru facilities); personal service establishments; accessory parking; and accessory uses.
- .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 the Department of Planning and Development. 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 5.0 in accordance with the attached Bulk Regulations Table. For purposes of FAR calculations and measurements, the definitions in the Zoning Ordinance shall apply. The permitted FAR identified in the Bulk Regulations Table has been determined using a Net Site Area of 20,307 square feet.
9. Upon review and determination ("Part II Review"), and pursuant to Section 17-13-0610 of the Zoning Ordinance, a Part II Review Fee shall be assessed by the Department of Planning and Development. 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 by the Department of Planning and Development. Any interim review associated with the site plan review or Part II reviews are conditional until final Part II approval.
11. The Applicant shall comply with the Rules and Regulations for the Maintenance of Stockpiles promulgated by the Commissioners of the Departments of Streets and Sanitation and Fleet and Facility Management and Buildings, pursuant to 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 by the Zoning Administrator, pursuant to Section 17- . 13-0611-A of the Zoning Ordinance, upon written application by the Applicant, its

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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. Applicant shall achieve basic L.E.E.D. Certification under the Leadership in Energy and Environmental Design ("L.E.E.D.") Green Building Rating System and provide a minimum 50% green roof over the net roof area of approximately 6,259 square feet.
15. The Applicant acknowledges and agrees that the rezoning of the Property from B3-2 to B3-5, and then to this Planned Development triggers the requirements of Section 2-45-115 of the Municipal Code (the "Affordable Requirements Ordinance" or "ARO"). Any developer of a "residential housing project" within the meaning of the ARO must: (i) set aside 10% of the housing units in the residential housing project (the "Required Units") as affordable units, or provide the Required Units in an approved off-site location; (ii) pay a fee in lieu of the development of Required Units; or (iii) any combination of (i) and (ii), provided, however, that residential housing projects with 20 or more units must provide at least 25% of the Required Units on-site. The Property is located in a higher income area within the meaning of the ARO, and the Applicant has agreed to satisfy its affordable housing obligation by making a cash payment to the Affordable Housing Opportunity Fund in the amount of \$125,000 per unit ("Cash Payment") and providing three (3) affordable units in the rental building to be constructed in the Planned Development, as set forth in the Affordable Housing Profile Form attached hereto as Exhibit A. The Applicant agrees that the affordable rental units must be affordable to households earning no more than 60% of the Chicago Primary Metropolitan Statistical Area Median Income ("AMI"), as updated annually by the City of Chicago. If the Applicant subsequently reduces (or increases) the number of housing units in the Planned Development, the Applicant shall update and resubmit the Affordable Housing Profile Form to the Department of Planning and Development ("DPD") for review and approval, and DPD may adjust the number of required Affordable Units without amending the Planned Development. Prior to the issuance of any building permits for any residential building in the Planned Development, including without limitation, excavation or foundation permits, the Applicant must make the required Cash Payment and execute and record an affordable housing agreement in accordance with Section 2-45-115(L). 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

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Address: 3901 North Broadway Street
Date Introduced: March 16, 2016 Plan
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housing agreement will be recorded against the Planned Development, or the applicable portion thereof, and will constitute a lien against such property. The Commissioner of DPD may enforce remedies for breach of this Statement 15, including any breach of any 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.

16. This Planned Development shall be governed by Section 17-13-0612 of the Zoning Ordinance. Should this Planned Development Ordinance lapse, the Zoning Administrator shall initiate a Zoning Map Amendment to rezone the property to B3-5, Community Shopping District. "

Applicant: Vermilion Acquisitions, LLC
Address: 390! North Broadway Street
Date Introduced: March 16, 2016 Plan
Commission: June 16, 2016

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PLANNED DEVELOPMENT NO.

BULK REGULATIONS TABLE

Gross Site Area:	32,454 Square Feet
Area in Public Right-of-Way:	12,147 Square Feet
Net Site Area:	20,307 Square Feet
Maximum Floor Area Ratio: 5.0	
Maximum Building Height: 105'	
Minimum Number of Parking Spaces: 57	
Minimum Number of Bicycle Parking Spaces: 93	
Minimum Number of Loading Berths: 0*	
Maximum Number of Dwelling Units:	100
Minimum Setbacks:	In accordance with the Site Plan

* One 25' loading zone will be provided on Broadway Street

Applicant: "Vermilion Acquisitions, LLC
Address: 3901 North Broadway Street
Dale Introduced: March 16, 2016 Plan
Commission: June 16, 2036

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^&e7^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.cityofchicago.org/ARO <<http://www.cityofchicago.org/ARO>>.

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 19, 2016

SECTION 1: DEVELOPMENT INFORMATION

Development Name: TBD

Development Address: TBD (closed pas station at 3901 North Broadway) Ward: 46th

If you are working with a Planner at the City, what is his/her name? Noah Szafraniec Type of City

Involvement: Q City Land

(check all that apply) i Financial Assistance (If TIF assistance, will TIF funds be

used for housing construction?) *If yes, please provide copy

of the TIF Eligible Expenses I-J

[y/j] Zoning increase and/or PD

SECTION 2: DEVELOPER INFORMATION

Developer Name: Vermilion Development Developer Contact (Project

Coordinator): Kerry Dickson Developer Address: 401 North Franklin, Suite 4

South; (ft Email address: kerry.dickson@vermilliondevelopment.co

<mailto:kerry.dickson@vermilliondevelopment.co> Telephone Number: (312) 5

25.8808

SECTION 3: DEVELOPMENT INFORMATION

a) Affordable units required

For ARO projects: wo x 10%* = jo (always round up)
Total units total affordable units required

*20% if TIF assistance is provided

For Density Bonus projects: X 25% =
Bonus Square Footage* Affordable sq. footage required

*Note that the maximum allowed bonus is 20% of base FAR in dash-5; 25% in dash-7 or -10; and

30% of base FAR in dash-12 or -16 (www.cityofchicago.org for zoning info).

b) building details

Each apartment has individual electric meter for lights, power and heat. In addition to water, which of the following utilities will be included in the rent (circle applicable):

3 ☐ ☐ ☐ ☐
Cooking gas electric gas heat electric heat •• other (describe on back)

☐ ca

☐ lz

Is parking included in the rent for the: affordable units? yes no market-rate units? yes no

If parking is not included, what is the monthly cost per space? \$200

Estimated date for the commencement of marketing: pa! 2017

Estimated date for completion of construction of the affordable units: Spring 2018

	Unit Type*	Number of Units	Number of Bedrooms/Unit	Total Square Footage/Unit	Expected Market Rent	Proposed Affordable Rent*	Proposed Level of Affordability (60% or less of AMI)	Unit Mix OK to proceed?
<i>Example</i>	1 bed/1 both	4	1	800	\$1000	769	80%	
Affordable Units	1 bod/1 bulh	2	2	570 nnd 729		\$787	60%	Ef'
	2 bed/2 bnlh	1	1	1,016	\$2,700	\$944	60%	
								<input type="checkbox"/>
Market Rate Units	1 bad/1 balh	«6	1	670 (o 744	\$1,650 lo «,100	N/A	N/A	<input type="checkbox"/>
	2 bud/2 balh	23	2	1,012 to 1,149	12,700 lo \$2,900	N/A	N/A	<input type="checkbox"/>
	3 bdd/2 bath	0	a	1,284	\$3.400	N/A	N/A	<input type="checkbox"/>

SECTION 4: PAYMENT IN LIEU OF UNITS

When do you expect to make the payment -in-lieu?

(typically corresponds with issuance of building permits)

December 2016 Month/Year

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

\$

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$$X10\% = \frac{1010533 \times 318 \times 7}{100} = 7 \times \$125.000 = \$875.00$$

(round up to nearest

Number of total units

whole number)

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

N/A

x 80% x \$ _

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

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. on east

\$22

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

\$29

Kara Br'cfefns, DPD // Dsvclcl-per/project M.-ioaycV

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

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Date

Date

Department of Planning and Development
CITY OF CHICAGO

MEMORANDUM

Alderman Daniel S. Solis
Chairman, City Council Committee on Zoning

David T. Reifman Secretary
Chicago Plan Commission

DATE: June 17, 2016

RE: Proposed Planned Development for property generally located at 3901 North Broadway.

On June 16, 2016, the Chicago Plan Commission recommended approval of the proposed planned development submitted by Vermillion Acquisition 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 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)

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REPORT to the

**CHICAGO PLAN COMMISSION from the
DEPARTMENT OF PLANNING AND DEVELOPMENT**

JUNE 16, 2016

**PROPOSED PLANNED
DEVELOPMENT (APPLICATION NO. 18706)**

VERMILION ACQUISITIONS, LLC.

3901 NORTH BROADWAY

Pursuant to the provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, the Department of Planning and Development hereby submits this report and recommendation on a proposed Planned Development for your review and recommendation to the Chicago City Council. The application was introduced to the Chicago City Council on March 16, 2016. Notice of this public hearing was published in the Chicago Sun-Times on June 1, 2016. The Applicant was separately notified of this public hearing.

The property is identified as 3901 N. Broadway and is generally located at the northeast corner of North Broadway and West Sheridan Road. The applicant, Vermilion Acquisitions LLC, proposes to construct a ten-story mixed-use building with retail use at the ground floor and 100 dwelling units on the floors above.

This request is being submitted as a mandatory planned development, pursuant to Section 17-08-0512-A, due to the fact that the proposed project exceeds 80'-0" in height in an underlying B3-5 zoning designation.

PROJECT BACKGROUND AND DESCRIPTION

The site consists of approximately 20,000 square feet and is currently improved with a vacant gas station. The applicant proposes to demolish the building and proposes to construct a ten-story mixed use building on the site. The proposed building will have retail and commercial use on the first floor, 57 parking spaces dedicated to the residential units on the ground floor and second floor, and 100 dwelling units on floors 3 through 10. Inside the building space will be dedicated for 93 bicycle parking stalls.

The proposed project will be primarily finished with metal and glass panels along the Sheridan and Broadway elevations, the remainder of the building will be finished in brick. Typical accents in the form of cast stone copings, door and window systems & louvered openings to vent the parking garage will be

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provided. The building proposes to locate active uses immediately adjacent to the street edge along both Broadway and Sheridan Road. The proposed color palette includes red and brown brick tones, light brown, gray and white metal panel tones, and blue tinted glazing.

LANDSCAPING AND SUSTAINABILITY

The entire planned development will be compliant with the requirements of the Chicago Landscape Ordinance specifically in terms of parkway trees,

The subject site will be designed to be in compliance with the current City of Chicago Sustainable Development policy and will provide a vegetated roof equivalent to a minimum of 50% of the net roof area which equates to 6,259 square feet of area. Additionally, the subject building will obtain LEED certification.

ACCESS / CIRCULATION

Access to the site is provided by way of two driveways both located along North Broadway; these driveways each lead to a separate level of the interior parking provided for the tenants of the building. Trucks providing service to the building will use a loading area provided parallel to the Broadway curb, an ordinance for the location will be obtained by the property owner and renewed on an annual basis. The bicycle parking for the building uses is provided at various locations within the parking garage and will total 93 spaces. All vehicle parking, bicycle

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parking/storage and loading docks will be designed to be compliant with Chapter 10 of the Chicago Zoning Ordinance.

BULK / USE / DENSITY

The current maximum allowable Floor Area Ratio (FAR) for the proposed underlying zoning district (B3-5) is 5.0; the proposed planned development is designed for and will be limited to a maximum FAR of 5.0. The proposed planned development will maintain setbacks that are in compliance with the requirements of the B3-5 zoning designation. All remaining bulk, use and density items will be in substantial compliance with the stipulations of Section 17-3-0400 for B3-5 zoning districts.

RECOMMENDATION

The Department of Planning and Development has reviewed the project materials submitted by the Applicant and compared this proposal to the requirements of the Chicago Zoning Ordinance and existing development in the community. The area around this project is composed of manufacturing uses and is accessible from public transit. Based on that analysis, DPD has concluded that this proposal is appropriate for this site and supports this development for the following reasons:

1. Promotes economically beneficial development patterns that are compatible with the character of existing neighborhood (per 17-8-0103), as evidenced by the design of the project, and the fact that the proposed uses are in context with the character of the adjacent properties and also meet the needs of the immediate community;
2. Promotes transit, pedestrian and bicycle use, ensures accessibility for persons with disabilities and minimizes conflicts with existing traffic patterns in the vicinity (per 17-8-0904-1-2, 3 & 4), as evidenced by the site's close proximity to public transit in the form of various CTA bus lines as well as the Sheridan Road station situated along the CTA red and CTA purple line; the accessibility accommodations made on-site for the building users; pedestrian and bicycle ingress and egress options provided to the building users in the form of 93 bicycle parking stalls and lastly ensuring that the design of the site works within the confines of the current existing traffic patterns at the site and creates little or no adverse impact to those patterns.
3. Building Orientation and Massing (per 17-8-0906-B), as evidenced by the project design which brings the edge of the building up to the street frontage and provides large transparent store front windows to create an active building wall;
4. All sides and areas of the buildings that are visible to the public should be treated with materials, finishes, and architectural details that are of high-quality and appropriate for use on primary public-right-of-way-facing facade (per 17-8-0907-A-4), as evidenced through the information contained within this report, the proposed material is to be metal panel and glazing along Broadway and Sheridan and brick

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along the north and east elevations. Aluminum window systems, glass garage doors and standard storefront system, as shown on the elevations, are also provided. The design should be consistent with the exhibits for this planned development, and the corresponding proposal renderings.

The project meets the purpose and criteria set forth in the Chicago Zoning Ordinance and its adoption would not have any adverse impact on the public's health, safety or welfare:

1. Per 17-13-0308-C, the proposed development is compatible with surrounding commercial, retail, and residential developments in terms of land use, as well as, the density and scale of the physical structure.
2. Per 17-13-0308-D, the proposed underlying zoning for this planned development (B3-5) and is consistent with other zoning districts, both adjacent to this site and in the immediate area.

3. Per 17-13-0308-E, the public infrastructure facilities and City services will be adequate to serve the proposed development at the time of occupancy and the project will comply with the requirements for access in case of fire and other emergencies. The proposed project has been reviewed by the Mayor's Office for People with Disabilities and the Department of Transportation and all requested changes have been made. Copies of this application have been circulated to other City departments and agencies and no comments have been received which have not been addressed in the application.

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

Bureau of Zoning and Land Use Department of Planning and
Development

Department of Planning and Development city of chicago

**3901 NORTH BROADWAY PROPOSED RESIDENTIAL
BUSINESS PLANNED DEVELOPMENT
(APPLICATION NO. 18706)**

RESOLUTION

WHEREAS, the applicant, Vermilion Acquisitions LLC, has submitted an application to establish a planned development; and,

WHEREAS, the Applicant is proposing to construct a ten-story mixed use building with commercial, retail and parking uses on the ground floor and 100 dwelling units on the floors above, the applicant will provide 57 vehicular parking stalls and 93 bicycle parking stalls; and,

WHEREAS, the Applicant is proposing to rezone the property from B3-2 (Community Shopping District) to B3-5 (Community Shopping District) and then to a Residential Business Planned Development; and,

WHEREAS, the Applicant's request to rezone the property was introduced to the City Council on March 16, 2016; and,

WHEREAS, proper legal notice of the hearing for this application before the Plan Commission was published in the Chicago Sun-Times on June 1, 2016 and the Applicant was separately notified of this hearing; and,

WHEREAS, the proposed zoning application was considered at a public hearing by this Plan Commission on June 16, 2016; and,

WHEREAS, the Department of Planning and Development recommended approval of the application, with the recommendation and explanation contained in the written report dated June 16, 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 associated-informational submissions, the report and recommendation of the Department of Planning Development and all other testimony presented at the public hearing held on June 16, 2016, giving consideration to the applicable provisions of the Zoning Ordinance.

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

1-1*1A1

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

1. THAT the final application dated June 16, 2016 be approved as being in conformance with the provisions, terms and conditions of the corresponding zoning application; and,
2. THAT the above-stated recitals to this resolution together with the report 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,
3. THAT this Plan Commission recommends approval to the City Council Committee on Zoning, Landmarks and Building Standards of the final zoning map amendment application dated June 16, 2016, as being in conformance with the provisions, terms and conditions of the Zoning Ordinance

Martin Cabrera, Jr. Chairman
Chicago Plan Commissio

PD No.:

Approved: June 16, 2016

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

a 4 1\$

CITY OF CHICAGO

REVISED APPLICATION FOR AN AMENDMENT TO THE CHICAGO ZONING
ORDINANCE

2. 3.

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

3901 North Broadway

APPLICANT Vermilion Acquisitions, LLC ADDRESS

Ward Number that property is located in: 46

STATE Illinois

PHONE 312.525.8808

401 North Franklin Street - 4 South CITY _Chicago_ ZIP CODE 60654

EMAIL . Keny.dickson@verniiirondeveioj>- CONTACT PERSON Kerry Dickson
ment.com <http://ment.com>

NO
X

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

If the applicant is not the owner of the property, please provide the following information regarding the owner and attach written authorization from the owner allowing the application to proceed.

OWNER FOG BS, LLC

ADDRESS 420 East Waterside - #4410

PHONE 312.505.3900

EMAIL jmintzer@saxonycap.cora <mailto:jmintzer@saxonycap.cora> CONTACT PERSON
Joshua A. Mintzer

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

ATTORNEY Edward J. Kus / Taft Stettinius & Hoi lister LLP

ADDRESS 111 East Wacker Drive - Suite 2800

STATE Illinois ZIP CODE 60601

EMAIL ekus@taftlaw.com <mailto:ekus@taftlaw.com>

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.

Dave Cocapne

7. On what date did the owner acquire legal title to the subject property? unk

Has the present owner previously rezoned this property? If Yes, when?

NO

Proposed Zoning District B3-5 then to RBPD

10. Lot size in square feet (or dimensions) 20,307 square feet

11. Current-Use of the property Abandoned gas station ,

12. Reason for rezoning the property Proposed height of new mixed-use building exceeds 80' and requires a planned development. ;

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)

Mixed-use building will contain 100 dwelling units with ground floor retail; there will be 57 on-site parking spaces; ground floor will contain approximately 3,260 square feet of retail space. Height of building will be 105' to the top of the tallest roof structure.

14. The Affordable Requirements Ordinance (ARO) requires on-site affordable housing units and/or a financial contribution for residential housing projects with ten or more units that receive a zoning change which, among other triggers, increases the allowable floor area, or, for existing Planned Developments, increases the number of units (see attached fact sheet or visit

www.cilvorchicauo.oru/ARQ <<http://www.cilvorchicauo.oru/ARQ>> for more information). Is this project subject to the ARO?

YES

application for Broadway, Sheridan
COUNTY OF ILLINOIS OF COOK STATE

Kerry Dickson, being first duly sworn on oath, states that all of the above statements and the statements contained in the documents submitted herewith are true and correct.

/,

Signature of Applicant

Subscribed and Sworn to before me this 1st day of June, 2016.

Notary Public

SEEN
CLAYTON LGHEEN OFFICIAL SEAL Notary Public, State of Illinois My Commission Expires February 10, 2020

Date of Introduction:

File Number:

Ward:

application for broadv/?y_sherldan

CITY OF CHICAGO KCONOMTC DISCLOSURE
STATEMENT AND AFFIDAVIT

SUCTION i -- GENERAL INI"ORMA'tTON

A. Legal name of the Disclosing Party submitting this EDS. Include d/b/a/ i.f applicahle:

rocv \l} in

Check ONE ofthe following three boxes:

Indicate whether the Disclosing Parly submitting this EDS is: •i. {"""i the

Applicant OR

2. ^X'a legal entity holding a direct: or indirect interest in the Applicant. State the legal name ofthe
Applicant in which the Disclosing Party holds ari'intest: fob (V; , Ltkl.

OR ~\

3. { ,!a legal entity with a right of control (see SectlontL'B.l.) State the .legal name ofthe entity in
which the Disclosing Party holds a right of control: . .

B. Business address of the Disclosing Party: ^00■ Wl A/Tfcfc,T"H\A£ ft\h&&

mmm/}^

C. Telephone: (f-Q'(p.^ (fPfa .Fax: . ^- . Email: Off/K

D. :Narne:o^cojhtactp 0T\(\t\C . 0:, t4^fr)g/#fe& .

E. Fe'derKl EriVplpyer Id.ea^ (if ydu haveotie): ' P'f~ •^f-'** H L -

F. Brief description of contract, transaction-or^^ to below as.the "M atter") to

F. which this EDS pertains. (Include project numb.er.w^o^ail^h.' of property, if applicable):

.jfe rVPf.M^n.QNJ rcCL . ^ ifkiomuj/^ .

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

If tlte Matter is a contract being-hah'dlced by'the'Cily's Department of Procurement Services, please complete the

following-:

Specification V' . and Contract^ . . , -..

Page 1 of 13

SKCTION II -- IHSCLOPURK Ot' O WNKRNi 111¹ IN I KRESTS

A. NATUKE 01- Till-. DISCLOSING PARTY

I. Indicate 11»e nature ol" the Disclosing Party:

Person	Limited liability company
: Publicly registered business corporation	; Limited liability partnership
Privately held business corporation	: Joihi'von'tiie
f Sole-proprietorship,	f T Not-for-profit corporation
f : General .partnership	(Is the jiot.-fQivprofit corporation also a 501(c)(3))?
[5 Limited partnership	OYe's ;'}No
i Trust.	; Other (please specify)

2. For legal entities, the state for foreign country) of incorporation or organization, inapplicable: &#/s.LV I/}

ty ; & "

3. For legal entities noi organized in the State of Illinois: Has the organization registered io do busihess-in' life State of Illinois as'a'foteigri entity?

fl Yes ^No p N/A

B. IF THE DISCLOSING -PARTYiS A LEGAL ENTITY:

I. List below the fu 11 nanies and- titles of all executive officers and all directors of the eniity. IS 0'JCE":'ft'.bP-iidt^.fb'i^c.C'jRt •cp'ftjoratiifna- alsoTi'st:bclbw .-a;ij^nemib.eFs,; if any, w'hich^arc legafentiljes. If there afe;rio such members/write "no members." For ItT-isfsj estates or other sitriilar entilies, list below thty c'gal> ti tl olio i d.cr(s). '

^Ifitii^ehtjtyXi\$^siv.genc;raLpattt.nefsl^rp.,.Ijjintted partnership, limited-liability cpmpany, iimijed;liability paftri&fcsi^ lisrcbptpy^t^ ahcbtifi&Ofc^ manager pr any other, pefson or, enti^ Patty.
NOTEfEach legaL^^ mtist sjib>n

Name Title

f.^C o>. U rVC-<G ^ ,'.fth w\Ki>p.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

int. ei <http://int.ei> c.sl <http://c.sl> 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
<i>\$L, h& Rnr Tntr/j tap'</i>	<i>Q< vd Ui tr r&g r/.y- n g, ftiQff-</i>	<i>x. S L</i>

'fjo QTtioO <W yy>££ np,A,-o il'S'j-

SECTION III -- BUSINESS RELATIONSHIPS WITH CITY ELECTED OFFICIALS

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

☐ Yes ☒ No

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

SECTION IV - DISCLOSURE OF SUBCONTRACTORS AND OTHER RETAINED PARTIES

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

"Lobbyist" means any person or entity who undertakes to influence any legislative or administrative action on behalf of any person or entity other than: (1) a not-for-profit entity, on an unpaid basis, or (2) himself. "Lobbyist"

also means any person or entity any part of whose duties as an employee of another includes undertaking-to influence any legislative or administrative action.

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

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)

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

- CERTIFICATIONS

A. COURT-ORDERED CHILD SUPPORT COMPLIANCE

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

Has any person who directly or indirectly owns 10% or more of the Disclosing 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

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 T 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 ILB. 1. of this EDS:

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

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

- the Disclosing Party;
- any "Contractor" (meaning any contractor or subcontractor used by the Disclosing Party in connection with the Matter, including but not limited to all persons or legal entities disclosed under Section IV, "Disclosure of Subcontractors and Other Retained Parties");
- any "Affiliated Entity" (meaning a person or entity that, directly or indirectly: controls the Disclosing Party, is controlled by the Disclosing Party, or is, with the Disclosing Party, under common control of another person or entity. Indicia of control include, without limitation: interlocking management or ownership; identity of interests among family members, shared facilities and equipment; common use of employees; or organization of a business entity

following the ineligibility of a business entity to do business with federal or state or local government, including the City, using substantially the same management, ownership, or principals as the ineligible entity); with respect to Contractors, the term Affiliated Entity means a person or entity that directly or indirectly controls the Contractor, is controlled by it, or, with the Contractor, is under common control of another person or entity;

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

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 IIDS 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

IT (be 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.

jfl/A.a/k :

:

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):

<^ f)ML\

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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?

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

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

Does the Matter involve a City Property Sale? "Yes ☐ No ☒

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

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

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

E. CERTIFICATION REGARDING SLAVERY ERA BUSINESS

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

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

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

2. The Disclosing Party has not spent and will not expend any federally appropriated funds 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.1. and A.2. above.

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

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

R. 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? (Sec 41 CFR Part 60-2.)

: ; Yes . J 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?

I.; Yes "No

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

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

The Disclosing Party understands and agrees that:

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

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

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

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

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

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

The Disclosing Party represents and warrants that:

F.1. The Disclosing Party is not delinquent in the payment of any tax administered by the Illinois Department of Revenue, nor are the Disclosing Party or its Affiliated Entities delinquent in paying any fine, fee, tax or other charge owed to the City. This includes, but is not limited to, all water charges, sewer charges, license fees, parking tickets, property taxes or sales taxes.

F.2. If the Disclosing Party is the Applicant, the Disclosing Party and its Affiliated Entities will not use, nor permit their subcontractors to use, any facility listed by the U.S. E.P.A. on the federal Excluded Parties List System ("EPLS") maintained by the U. S. General Services Administration.

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

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

CERTIFICATION

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

CLO,

(Print or type name of Disclosing Party)

(Signature)

(Print or type name of person signing)

(Print or type title of person signing)

*Signed and sworn to before me on (date) _____, _____, _____
_____ I (state). &*

_____"a"____F%:

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 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 TLB. 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 ^Uo

Page 13 of 13

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

CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT
APPENDIX B

BUILDING CODE SCOFFLAVV/PROBLEM LANDLORD CERTIFICATION

(he Applicant.

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No

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Prige J4 of 14

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j>rfor lo .submission lo City Council or on ilie datv uiclds in^ . ft'unable n> receitify tinthfully, the Disclosing Party must
complete: a new HDS witli. correct or corrected information)

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This record fiction is bciivg submitted in connection with PD at 3901 N. .Broadway
[identify (hc jviallerf. Under penally of perjiiry, ,^ below:' (1) wamiuts that
he/she is autlutri/.cd to execxile this F.DS rceci iiticoition .on .lH-linlf of tlie J'>isclo'singT'uri.y,- (2)
warrants that iii 1 cerufieaiiohiKahd statements coi^ original-EDS

are true, accurate and complete as of the date furnished to the City. I continue to be true, accurate and complete as of the date of this filing and (3) I acknowledge my obligations to the City.

FQ6, LLC
(Print or type legal name of Disclosing Party)

Dated: May 15, 2016

By:

(Signature) _____ Print of _____

Title of signatory:

Notary Public.

Commission _____

Vri- II-(il-W

CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT

SECTION 1 - GENERAL INFORMATION

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

Check ONE of the following three boxes:

Indicate whether the Disclosing Party submitting this EDS is: 1.

the JV partner of the Applicant OR

2- () a legal entity holding a direct or indirect interest in the Applicant. State the legal name of the
Applicant in which the Disclosing Party holds an interest: _____

OR

3. [] a legal entity with a right of control (see Section II.B.1.) State the legal name of the entity in
which the Disclosing Party holds a right of control:

B. Business address of the Disclosing Party: 420 E. Waterside Unit 4410
Chicago, IL 60601

C. Telephone: 312-505-3900

Fax:

Email: jmintzer@saxonycap.com

[<mailto:jmintzer@saxonycap.com>](mailto:jmintzer@saxonycap.com)

D. Name of contact person: Joshua A. Mihtzer

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):

Planned Development Application for 3901 N. Broadway

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

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

Specification it and Contract V.

Page 1 of 13

SECTION II -- DISCLOSURE OF OWNERSHIP INTERESTS

A. NATURE OF THE DISCLOSING PARTY

1. Indicate the nature of the Disclosing Party: /

<input type="checkbox"/> Person	<input type="checkbox"/> Limited liability company
<input type="checkbox"/> Publicly registered business corporation	<input type="checkbox"/> Limited liability partnership
<input type="checkbox"/> Privately held business corporation	<input type="checkbox"/> Joint venture
<input type="checkbox"/> Sole proprietorship	<input type="checkbox"/> Not-for-profit corporation
<input type="checkbox"/> General partnership	(Is the not-for-profit corporation also a 501 (c)(3))?
<input type="checkbox"/> Limited partnership	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Trust	<input type="checkbox"/> Other (please specify)

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

— ' <ax. > — —

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

☐ Yes ☐ No ☐ *QN/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

city? W {AAPh^ — aw-^i^ ^%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 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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Name (indicate whether retained or anticipated to be retained)	Business Address	Relationship to Disclosing Party (subcontractor, attorney, lobbyist, etc.)	Pecs (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

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 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 J applies to the Applicant, the permanent compliance timeframe in Article I supersedes some five-year compliance timeframes in certifications 2 and 3 below.

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2. The Disclosing Party and, if the Disclosing Party is a legal entity, all of those persons in entities identified in Section 11.13.1. of this EDS:

- a. are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from any transactions by any federal, state or local unit, of government;

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

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

■ the Disclosing Party;

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

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

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Pane 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").

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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)

☐ is not a "financial institution" as defined in Section 2-32-455(b) of the Municipal

Code.

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

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

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

Page 7 of 13

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

D. CERTIFICATION REGARDING INTEREST IN CITY BUSINESS

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

1. In accordance with Section 2-1 56-110 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

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

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

Does the Matter involve a City Property Sale?

- Yes ^jNo

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

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

Page 8 of 13

ic Disclosing Party has searched any and all records of
comply with these disclosure requirements may make any contract entered into with the City in connection with the

Matler voidable by the City.

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.

J 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):

(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.1. and A.2. above.

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

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

B. CERTIFICATION REGARDING EQUAL EMPLOYMENT OPPORTUNITY

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

Is the Disclosing Party the Applicant?

☐ Yes

If "Yes," answer the three questions below:

1. Have you developed and file affirmative action programs pursuant to applicable federal regulations? (See 42 U.S.C. § 6b-2.)

☐ Yes.

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

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

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

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

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

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

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

The Disclosing Party represents and warrants that:

Page 11 of 13

F. 1. The Disclosing Party is not: delinquent in the payment of any tax administered by the Illinois Department of Revenue, nor are the Disclosing Party or its Affiliated Entities delinquent in paying any fine, fee, tax or other charge owed to the City. This includes, but is not limited to, all water charges, sewer charges, license fees, parking tickets, property taxes or sales taxes.

F.2 If the Disclosing Party is the Applicant, the Disclosing Party and its Affiliated Entities will not use, nor permit their subcontractors to use, any facility listed by the U.S. E.P.A. on the federal Excluded Parties List System ("EPLS") maintained by the U. S. General Services Administration.

F.3 If the Disclosing Party is the Applicant, the Disclosing Party will obtain from any contractors/subcontractors hired

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

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

CERTIFICATION

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

(Print or type name of Disclosing Party)

(Print or type name of person signing)

fi i^wy<S~

(Print or type title of person signing)

Signed and sworn to before me on (date)

at <>&J/

County, ^- ^~

3/

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

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

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

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

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

☒ Yes ☐ 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?

Yes



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? /

| J'Yes

| jNo

;qjNot Applicable

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

Page 14 of 14

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

RKClvR-riFJCariO.N

Generally, for use with City of Gaunaj matters. Not for; City procurements unless requested.

This recertification is being submitted in connection with PD.aC3.90"V-N. Broadway [identify the Matter]. Under penalty of perjury, I, the undersigned, being duly authorized to execute this J-1DS recertification on behalf of the Disclosing Party; (2) warrant that all information provided is true and correct in the Disclosing Party's original EDS and that I intend to complete its fulfillment by the date furnished to the City and continue to be true, accurate and complete as of the date of this recertification. I hereby reaffirm this.

Fbousri-uc

Date: M?y.K6. zoic

(Print or type legal name of Disclosing Party)

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CITY OF CHICAGO ECONOMIC
DISCLOSURE STATEMENT AND
AFFIDAVIT

SECTION I -- GENERAL INFORMATION

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

: , , , MARS, BS, LLC

Check ON E of the foljqwing three boxes:

Indicate whether the Disclosing Party submitting this EDS is:

1 • O ^{tn}P Applicant

_ ..

OR

2. [Y] a Jegal entitydioldmg a:direct;or indirect .interest .in the Applicant.. State the■ legal nainerbf the
Applicant in which'tiie5bisc{osing Party holds ah interest: fo6bs.llc.' :-

3'. [31 a'legal entityvyitlvja"-riglVt/df/coiit'rp" 1 ■.Cs*?'e- SectionI-^B..') State the legal name.;of tiie
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complete the following:

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Specification,[^]
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and Contract // ■■ ■" .. • ■-.'■';...

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Page 1 of, 13

SECTION II -- DISCLOSURE OL OWNERSHIP INTERESTS

A. NA T U R E O F THE DISCED SING P A R T Y

1. Indicate the nature oi' the Disclosing Party:

i "" Person

^ Limited liability company

; Publicly registered business corporation

Limited liability partnership

I' _] Privately .lielidbusiness corporation

^ j Jointventure

fl Sole^opfiotorship'

D Not-for-profit corporation-

I' General:partnership

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

[" r Limited-ipartncrsliip

f^~jYes :|,,|No

fl-Trust- '

[HI Other (please specify) : '•

2. P.dr^e^VF^i^'s, the state (or foreign country) of incorporation or organization; if,applicable: •

3. For legal entities that are organized in the State of Illinois: Has the organization registered to do

business?

Yes

No

No

Business:

1.

Organization

Is the organization a

public entity?

Writer's note: "E-briefs, estates, and other similar business"

the following:

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f:7;77;^

Name of the person or entity

Paul R. Bryant

Title of the person or entity

Manager
bY*M

2. Please provide the following information concerning each person or entity having a direct or indirect beneficial ownership in excess of 5% of the Disclosing-Party. -Examples of such include: share's 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
Paul R. Bryant	435 Michigan Avenue Suite 2009 Chicago IL 606011	
, Dan TaUSk	435 N. Michigan Avenue Suite 2009 Chicago IL 606011	

SECTION III- BUSINESS RELATIONSHIPS WITH CITY ELECTED OFFICIALS

T las the Disclosing .Party, had a "business .relationship;" as defined in Chapter 2-156 of the Municipal Code, with any City elected

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SECTION IV,-- DJS CEO SURE: OFY S UBCONTiRACTORSAND OTIiER RETAINED PARTIES

r ;Tlie,;b.is;cl^

lobbyist, accountant, consultant and ariy o

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DisclosingvParty niust:-either'.ask the .Qity:^Iietherdisclo'sure is required or.make the disclosure. .

Page 3. of. 13

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

to be retained) lobbyist, etc.) "hourly rate" or "t.b.cl." is not an acceptable response.

(Add sheets if necessary)

£^Check- here if the Disclosing Party .has not retained, nor expects to retainV any siich .persdhs or entities

SECTION V - C E R T I F I C A T I O N S A. G O U R T - O R b M

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do.ing business vv-ith tire City., ;;NOTE: If Article I [applies-to. the Applicant, th'Cr.perma.nc
timeframe■iii. Article I" siip.ers;edes some five-year compliance timeframes ih.^

2. The- Disclosing Party and. if the Disclosing Party is a legal entity, all ol'those persons or entities entitled 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 apublic 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-n;ot.presen.tly.hidicted'tpr,,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 fiye-yearperipd preceding -the datcofihis -EDS, had one.or .more .public transactions; (federal, ,

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with^sppcfti^ Affiliated^Ehtity means a^perspn pf entity that directly Or
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 aripter perspn or entity;

- any fesjSphsible official pf the; Disclosing Party, ,any;.Gohtractor or any Affiliated Entity or any other; official;agentpr employee ofthe Disclosing Party, any .Contractor or any Affiliated Entity, acting pursuant "to the directiprior authorization of a responsible official of the Disclosing Party, any Contractpfionahy 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, of 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 to or entered into any bid or prospective bid, or become a party to any such

b. agreement, or been convicted or adjudged guilty of agreement or collusion among bidders or

b. of competition by agreement otherwise; Of

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Certifications)^' ...*:ih-:-\s.-r ,.>xv •

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Page-6 of 13

9. To the best ofthe Disclosing Party's knowledge after reasonable inquiry, the following is a complete list of all gifts, thatthe 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. Tor purposes of this statement, a "gift" does not include: (i) anything m.ade gencraiiy^ayaijabTe'tp City employees or to the general public, or (ii) f6:\$d^fcdrinfc'providediiHhe course pf official City business and haying a retail value of less than \$20 pcr^fecipient (if none, indicate with "N/A" pr "nprie"), :Xs to any.gift listed below, please also list the name;'pf flre.Crty recipient.

G. CERTIFICATION CT STATUS; AS 0NANCIAE INST1TUTIO;N •-■^: 'l. TTle

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business wjtli-tiie-Cityf"i ; ^ ? ,. •

If the Disclosing Party is not a lender because if of 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, No

NOTE: If the

item is

Item D.1, proceed to Items D.2. and D.3. If the item is

Item D.2, proceed to Item D.3. If the item is

Item D.3, proceed to

Item D.4

have a financial interest

name; or in the

any other person or entity that has purchased

any City property

for the City's eminent domain purposes

or for the

City's financial interest

officials or employees

Name, Business Address, Nature of Interest

Yes, No

4. 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.

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 - CERTIFICATION REGARDING FEDERAL RALLY FUNDED MATTERS, or

NOTE: If the Matter is federally funded, proceed to Section VII. For purposes of this Section VI, tax credits allocated by the City and proceeds of debt obligations

A. CERTIFICATION REGARDING LOBBYING

List below the names of all persons or entities registered under the federal Lobbying Act.
i. Disclose the following information regarding the Matter: (Add sheets if necessary):

(If no explanation appears or begins on the line above, or if the letters "NA" of the word appears, it will be conclusively presumed that the Disclosing Party means that no persons or entities are involved in the Matter.)

Disclosing Party with respect to the Matter.)

2. The Disclosing Party has not expended 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 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, grant, loan, or cooperative agreement, 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.1. and A.2. above.

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

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

B. CERTIFICATION REGARDING EQUAL EMPLOYMENT OPPORTUNITY

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

Is the Disclosing Party the Applicant?

- ☒ Yes ☐ No

If "Yes," answer the three questions below:

1. Have you developed and do you have on file affirmative action programs pursuant to applicable federal regulations? (Sec 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 2-157 of the Municipal Code, impose certain duties and obligations on persons or entities seeking City contract work, business, or transactions. The full text of these ordinances and a training program is available on-line at www.cityofchicago.org/Ethics, and may also be obtained from the City's Board of Ethics, 740 N.

Sedgwick St., Suite 500, Chicago, IL 60660, (312) 744-9660. The Disclosing Party must comply fully with the applicable ordinances.

Further, if the City determines that any information provided in this EDS is false, incomplete, inaccurate, or otherwise misleading, the City may, at its discretion, void the contract.

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Tlie Disp.ldsing'P'afty.Teprpse^ warrants tliat:

Page 1 1 of 13

F. 1. The Disclosing Party is not delinquent in the payment of any (tax administered by the Illinois Department of Revenue, nor are the Disclosing Party or its Affiliated Entities delinquent in paying any fine, fee, tax or other charge owed to the City. This includes, but is not limited to, all water charges, sewer charges, license fees, parking tickets, property taxes or sales taxes:

F;2 If the Disclosing Party is the Applicant, the Disclosing Party and, its Affiliated Entities will not use, nor permit their subcontractors to use any facility listed by the U.S. EPA on the federal Excluded Parties List System ("EPLS") maintained by the U.S. General Services Administration¹.

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

RECERTIFICATION

Generally, for use with City Council matters. Not for City procurements unless requested.

This recertification-is being submitted in connection with PD at 390,1 N. Broadway
[identify the Matter]; Under penalty of perjury; the person signing below: (1) warrants that he/she is authorized to execute this EDS recertification on behalf of the Disclosing Party,,(2) warrants that all certifications and statements contained in the Disclosing Party's original EDS are true, accurate and complete as of the date furnished to the City and continue to be true, accurate and complete as of the date of this recertification, and (3) reaffirms its acknowledgments.
Mars B.S. Mc
ig Party)

(sign here) \ Printer type; iiarVjc

Date: May 25.-2016'
Title of signatory;

yi%/^V .

Signed and sworn to before me on: [date] M^> V. ^*>^ L» , by
(^A^^i*. LYfi*46.c. ... -at -PhfL County, /ko/jJoU . [state].
-/K^^---^-----.. Notary Public.

Commission expires; "cK'tiy .Tf* t-c- I'? ■

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Vr.r. 11-01-05

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.

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CITY OF CHICAGO ECONOMIC DEVELOPMENT
STATEMENT OF DISCLOSURE

SECTION I - GENERAL INFORMATION

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

ycQg fV^ftpg, -LcLp :

Check ONE of the following (check boxes);

Indicate whether the Disclosing Party submitting this EDS is: ☐ the Applicant OR

2. *a legal entity holding a direct or indirect interest in the Applicant. State the legal name of the Applicant in which the Disclosing Party holds an interest:* f^O^ LL-C^

OR

3, *:• a legal entity with a right of control (see Section II.B.1.) State the legal name of the entity in which the Disclosing Party holds a right of control:

B. Business address of the Disclosing Party: S 000- u/lft/7 & CrijtA fl. flftfifr

C. Telephone: Cflf -ri'^o ■■ Fax: Email: <hQikcjO,^g)CAp)"}A^ t

D. Name of contact person: I^P\R.)C (>■ 1-1 /-) C E. b/ P R

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

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):

G. Which City agency or department is receiving this EDS? }^P/)

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

Specification # . and Contract //

Page lot' 13

SECTION II -- DISCLOSURE OF OWNERS' INTERESTS

A. NATURAL PERSONS. OF THE DISCLOSING PARTY. Indicate the

nature of the Disclosing Party:

Person : Limited liability company
Publicly registered business corporation Limited liability partnership
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))?
Limited partnership [.Yes [No
' Trust • • Other (please specify)

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

0>r-/r-;

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

State of Illinois 'as a foreign, entity?

* Yes JX.No <http://JX.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 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 (one who 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
Jeffrey O. T. A. Jr.	President

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
Jeffrey O. T. A. Jr.	11111 CA & Qr n^P & fe CiticiC, >ft/npq, Pi 3jblc,	

SECTION III - BUSINESS RELATIONSHIPS WITH CITY ELECTED OFFICIALS

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

☐ Yes ☒ No

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

SECTION IV - DISCLOSURE OF SUBCONTRACTORS AND OTHER RETAINED PARTIES

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

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

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

Page 3 of 13

Name (indicate whether retained or anticipated to be retained)	business Address	Relationship to Disclosing Party (subcontractor, attorney, lobbyist, c(c.)	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 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 arrears on any child support obligations by any Illinois court of competent jurisdiction?

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

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

/Yes No

B. FURTHER CERTIFICATIONS

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

Page 4 of 1.5

2. The Disclosing Party and, if the Disclosing Party is a legal entity, all of those persons <> entities identified in Section 11.1. of this RDS:

- 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 D.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 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.
Page 6 of 13

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:

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 IIDS, 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.

A/OikG

C. CERTIFICATION OF STATUS AS FINANCIAL INSTITUTION

1. The Disclosing Party certifies that the Disclosing Party (check one) is
a "financial institution" as defined in Section 2-32-4 55(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):

M4/ir ,,

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Page 7 of 13

If (lie letters "NA.," die word "None." or no response appears on the lines above, it will be conclusively presumed that tlie 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: Docs any official or employee of the City have a financial interest in his or her own name or in the name of any other person or entity in the Matter?

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 iu 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 diis Part D.

Does the Matter involve a City Property Sale?

""Yes XN°

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

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

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

SECTION VI - CERTIFICATIONS FOR FEDERALLY FUNDED MATTERS

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

A. CERTIFICATION REGARDING LOBBYING

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

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

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

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.1. and A.2. above.

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

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

B. CERTIFICATION REGARDING EQUAL EMPLOYMENT OPPORTUNITY

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

Is the Disclosing Party the Applicant?

- Yes No

If "Yes," answer the three questions below:

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

L: 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?
(v) Yes ☐ No ☐

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

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

The Disclosing Party understands and agrees that;

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

B. The City's Governmental Ethics and Campaign Financing Ordinances, Chapters 2-156 and 2-164 of the Municipal Code, impose certain duties and obligations on persons or entities seeking City contracts, work, business, or transactions. The full text of these ordinances and a training program is available on line at www.cityofchicago.org/Ethics, 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 1,1 of 13

F.1. The Disclosing Party is not delinquent in the payment of any tax administered by the Illinois Department of Revenue, nor are the Disclosing Party or its Affiliated Entities delinquent in paying any fine, fee, tax or other charge owed to the City. This includes, but is not limited to, all water charges, sewer charges, license fees, parking tickets, property taxes or sales taxes.

F.2. If the Disclosing Party is the Applicant, the Disclosing Party and its Affiliated Entities will not use, nor permit their subcontractors to use, any facility listed by the U.S. E.P.A. on the federal Excluded Parties List System ("EPFLS") 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.

SLb& PflTAVfrfu?, U>P

(Print or type name of person signing)

(Print or type title of person signing)

(Print or type name of Disclosing Party)

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 2-1.54-015, the Disclosing Party must disclose whether such Disclosing Party or any "Applicable Party" or any Spouse or Domestic Partner thereof currently has a "familial relationship" with any elected city official or department head. A "familial relationship" exists if, as of the date this EDS is signed, the Disclosing Party or any "Applicable Party" or any Spouse or Domestic Partner thereof is related to the mayor, any alderman, the city clerk, the city treasurer or any city department head as spouse or domestic partner or as any of the following, whether by blood or adoption: parent, child, brother or sister, aunt or uncle, niece or nephew, grandparent, grandchild, father-in-law, mother-in-law, son-in-law, daughter-in-law, stepfather or stepmother, stepson or stepdaughter, stepbrother or stepsister or half-brother or half-sister.

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

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

Yes

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

Page 13 of 13

CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT
APPENDIX K

BUILDING CODE VIOLATION/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 property. It is not to be completed by any legal entity which has no ownership interest in the property.

1. Pursuant to Municipal Code Sec. 22-154-010, is the Applicant or any Owner identified as a

• building code violator or problem landlord? 2-92-4.16 of the Municipal Code?

2. If the Applicant is a legally publicly traded business, the Applicant identifies

[] Yes- [] No [] Not Applicable

3. If yes to (2), the entity identifies all buildings or buildings to which the pertinent code violations apply.

/ - :

IN WITNESS WHEREOF, I have hereunto set my hand and seal this

and agreement, this day of

ANTICIPATING THAT THE CITY OF CHICAGO IS SUBJECT TO THE CERTIFICATION; MADE UNDER PENALTY OF PERJURY ON PAGE 12 OF THE ASSOCIATED EDS.

(DO NOT SUBMIT THIS PAGE WITH YOUR 'CDS. The purpose, of (his page is for you to recertify your BDS prior to submission (o Hiiy Council or on Ihedmc of closing, ll."unable- to recertify tnnlifuly, the Disclosing Parly mu>a complete u n<:w BDS wivh correct or corrected information)

RKCKin'U'ICA'JTON

Generally, for use with City Council-matters. "Not; for City procurements unlosd.rcc|ui:sn:<i.

This rectification is ■■being subniUtdiin coiiticciori with PD;nt'-3'90i N. Broadway [identity'tlie" Mailer). IJiider-pctinly of perjury} the poison sijuiihg below::(:l) war'tarife that, he/she" is' authorized th execute this .CDS recerti ficatiou ■on'bena'if of .the' D.isciosiig'Parly, (2j wnrraiils thVtt.ii.il <http://thVtt.ii.il> certifications find {italcmciits' cbiitamed iirilic'Diaclosiu.!! P-urty's.origiuid EDS aru<(ruc, accurate .ahd-coiiplo'lc as of "the dale fun'usiid to the Giiy iihd continue ib be true, accurate and complete as of ihe dale of this recertification, and (3) rcaffimis .its ackuoWiedpinciit?.

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Title.of MgonHjiy:

Vcr. 11-01-1)5

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:

Vermilion Acquisitions, LLC

Check ONE of the following three boxes:

Indicate whether the Disclosing Party submitting this EDS is:

1. [] the Applicant

OR

2. ☐ a legal entity holding a direct or indirect interest in the Applicant. 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.1.) State the legal name of the entity in
which the Disclosing Party holds a right of control:

B. Business address of the Disclosing Party: 401 North Franklin, Suite 4 South

Chicago, IL 60654

C. Telephone: (312)239-3534

Fax:

Email: dave.cocagne@vermiliondevelopment.com

<mailto:dave.cocagne@vermiliondevelopment.com>

D. Name of contact person: davecocagne

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):

Planned Development Application-3901 North Broadway

G. Which City agency or department is requesting this EDS? Department of 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 ☐ Person

☐ Publicly registered business corporation • ☐ Privately held business corporation ; ""! Sole proprietorship ☐
General partnership ☐ ! Limited partnership ☐ Trust

☐ Limited liability company

☐ Limited liability partnership

i~j 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:

Illinois

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

☐ Yes

☐ No

0 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 Dave Cocagne, Managing Member

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

Dave Cocagne

401 N. Franklin, Suite 4 South, Chicago

401 N. Franklin, Suite 4 South, Chicago

SECTION III - BUSINESS RELATIONSHIPS WITH CITY ELECTED OFFICIALS

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

☒ Yes

☐ No

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

SECTION IV -- DISCLOSURE OF SUBCONTRACTORS AND OTHER RETAINED PARTIES

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

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

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

Page 3 of 13

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

lobbyist, etc.) "hourly rate" or "t.b.d." is
not an acceptable response.
\$25,000

225 W Hubbard, Fifth Floor, Chicago

(Add sheets if necessary)

I 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 Q] 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

B. FURTHER CERTIFICATIONS

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

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

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

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

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

Affiliated Entity (collectively "Agents").

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 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").

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 ☐ (7j is not

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

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

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

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

Page 7 of 13.

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

D. CERTIFICATION REGARDING INTEREST IN CITY BUSINESS

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

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

- Yes [7] No

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

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

Does the Matter involve a City Property Sale?

- Yes [J] 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.

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

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

SECTION VI - CERTIFICATIONS FOR FEDERALLY FUNDED MATTERS

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

A. CERTIFICATION REGARDING LOBBYING

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

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

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

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.1. and A.2. above.

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

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

B. CERTIFICATION REGARDING EQUAL EMPLOYMENT OPPORTUNITY

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

Is the Disclosing Party the Applicant?

- Yes rjNo :
- If "Yes," answer the three questions

below:

1. Have you developed and do you have on file affirmative action programs pursuant to applicable federal

regulations? (See 41 CFR Part 60-2.)

- Yes ☐ No

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

- Yes ☐ No

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

- Yes ☐ No

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

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

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

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

material fact may include incarceration and an award to the City of treble damages.

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

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

The Disclosing Party represents and warrants that:

Page 11 of 13

F.1. The Disclosing Party is not delinquent in the payment of any tax administered by the Illinois Department of Revenue, nor are the Disclosing Party or its Affiliated Entities delinquent in paying any fine, fee, tax or other charge owed to the City. This includes, but is not limited to, all water charges, sewer charges, license fees, parking tickets, property taxes or sales taxes.

F.2. If the Disclosing Party is the Applicant, the Disclosing Party and its Affiliated Entities will not use, nor permit their subcontractors to use, any facility listed by the U.S. E.P.A. on the federal Excluded Parties List System ("EPLS") maintained by the U. S. General Services Administration.

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

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

CERTIFICATION

Under penalty of perjury, the person signing below: (1) warrants that he/she is authorized to execute this EDS and Appendix A (if applicable) on behalf of the Disclosing Party, and (2) warrants that all certifications and

statements contained in this EDS and Appendix A (if applicable) are true, accurate and complete as of the date furnished to the City.

Vermilion Acquisitions, LLC

(Print or type name of Disclosing Party)

By: iQ^AJ^

(Sign here)

Dave Cocagne

(Print or type name of person signing)

Managing Member

(Print or type title of person signing)

Signed and sworn to before me on (date) • *3 j [ji/

at _felK 2. County, lluvimS (state).

F3 A) ~ ft fit)

(
Commission expires:

UUSjiAM.

_"',(

Notary Public.

OFFICIAL SEAL

NOTARY PUBLIC • STATE OF HUfcOiS MY COftOfISSION E&m£S:03mnB

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?

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

fl'

(DO NOT SUBMIT THIS PAGE WITH YOUR EDS. The purpose of this pane is for you to recertify your HDS prior to submission to City Council or on the date of closing. If unable to recertify truthfully, the Disclosing Party must complete a new HDS with correct or corrected information)

RECERTIFICATION

Generally, for use with City Council matters. Not for City procurements unless requested.

This recertification is being submitted in connection with PD at 3901N..13 roadway

Date: May 25, 2016

Votmlliloi Acquisitions, LLC

[identify the Maller]. Under penalty of perjury, the person sign tnu, below: (1) warrants that he/she is authorized to execute this EDS recertification on behalf of the Disclosing Party, (2) warrants that all -certifications and statements contained in the Disclosing Party's original P.D.S are True, accurate and complete as of the date this recertification is used to the City and continue to be true, accurate and complete as of the date of this recertification, and (3) reaffirms its acknowledgments.

(signature) Print or type name of signatory:

DovoCocauno

(Print of type legal name of Disclosing Party) (signature)

Title of signatory: Managing Member

at .Cjx^

Signed and sworn to before me on this day of May, 2016, at
County, Nevada,

Notary Public.

Commission expires: _

V'tf. II-OL05