

## Office of the City Clerk

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

## Legislation Details (With Text)

**File #**: O2016-7987

Type: Ordinance Status: Passed

File created: 11/1/2016 In control: City Council

**Final action:** 12/14/2016

Title: Support of Class L tax incentive for property at 912-924 W Randolph St, 151-185 N Sangamon St and

913-925 W Lake St

**Sponsors:** Emanuel, Rahm

Indexes: Class L

**Attachments:** 1. O2016-7987.pdf

| Date       | Ver. | Action By            | Action              | Result |
|------------|------|----------------------|---------------------|--------|
| 12/14/2016 | 1    | City Council         | Passed              | Pass   |
| 12/12/2016 | 1    | Committee on Finance | Recommended to Pass | Pass   |
| 11/14/2016 | 1    | Committee on Finance | Held in Committee   | Pass   |
| 11/1/2016  | 1    | City Council         | Referred            |        |

V \" /.

OFFICE OF THE MAYOR

CITY OF CHICAGO

RAHM EMANUEL MAYOR

November 1, 2016

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

## Ladies and Gentlemen:

At the request of the Commissioner of Planning and Development, I transmit herewith an ordinance authorizing a Class L tax status for properties located in the Fulton-Randolph Market landmark district.

Your favorable consideration of this ordinance will be appreciated.

Mayor

Very truly yours,

#### ORDINANCE

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

WHEREAS, the Cook County Board of Commissioners has enacted the Real Property Assessment Classification Ordinance, as amended (the "Classification Ordinance"), which establishes the Class L property tax classification to encourage the preservation and rehabilitation of certain historically and architecturally significant buildings, which will enhance the general character of real estate in the county and contribute to the economic well-being of the county by increasing the level of economic activity, increasing employment opportunities and contributing to the long-term growth of the real property tax base; and

WHEREAS, 900 Block I Owner LLC, a Delaware limited liability company (the "Owner"), is the owner of historic buildings (the "Buildings") located at 912-924 W. Randolph, 151-185 N. Sangamon, and 913-925 W. Lake Street in Chicago, Illinois, as more precisely described in Exhibit 1 attached hereto and hereby made a part hereof (the land and improvements thereon being herein referred to as the "Project Real Estate"); and

WHEREAS, on July 29, 2015, the City Council of the City (the "City Council") adopted an ordinance designating the area encompassing the Buildings, otherwise known as the Fulton-Randolph Market District, as a Chicago Landmark pursuant to the criteria established in Section 2-120-580 et seq. of the Municipal Code of Chicago, which identifies the Buildings as contributing buildings within the Fulton-Randolph Market District, and such designation as a Chicago landmark meets the definition of landmark pursuant to the Classification Ordinance; and

WHEREAS, the Owner proposes to rehabilitate the Buildings thereby preserving the historic buildings, increasing employment opportunities in the area and contributing to the long-term growth of the real property tax base (the "Project"); and

WHEREAS, it is anticipated that the Project may require a transfer of a beneficial interest in the Owner to one or more entities who will receive an allocation of federal historic rehabilitation tax credits ("Tax Credit Investors"); and

WHEREAS, the Owner anticipates using the Buildings for commercial purposes after the Project is completed (the "Use"); and

WHEREAS, the Owner has applied to the Office of the Assessor of Cook County, Illinois (the "Assessor"), for designation of the Project Real Estate as a Class L classification eligible for certain real estate tax incentives pursuant to the Classification Ordinance; and

WHEREAS, pursuant to the Classification Ordinance, the Class L classification is available to real estate which is to be used for commercial or industrial purposes and which (1) is a Landmark (as defined in the Classification Ordinance); and (2) has undergone Substantial Rehabilitation (as defined in the Classification Ordinance), which constitutes an investment by the owner of at least 50 percent of the building's full market value as determined by the Assessor in the assessment year prior to the commencement of the Substantial Rehabilitation; and the Class

1

L incentive shall apply to the building only, except that if the entire building has been vacant and unused for at least 24 continuous months prior to the filing of the eligibility application with the Assessor, the land upon which the building is situated shall be eligible for the incentive; and

WHEREAS, the Classification Ordinance requires that, in connection with the filing of a Class L eligibility application with the Assessor, an applicant must obtain from the unit of local government in which the real estate is located, an ordinance or resolution which expressly states that the local government: 1) has determined that the incentive provided by Class L is necessary for the Substantial Rehabilitation of the property; 2) supports and consents to the granting of the incentive; and 3) has reviewed and accepted its Preservation Commission's (as defined in the Classification Ordinance) written recommendation of the project for the Class L incentive, specifying the project budget and proposed scope of the work, which meets or exceeds the Standards of the United States Department of the Interior for Rehabilitation, Preservation, Restoration, and Reconstruction of historic properties; and

WHEREAS, the City is a Certified Local Government as defined in the Classification Ordinance and has established the City of Chicago Commission on Chicago Landmarks (the "Landmarks Commission"), and such Landmarks Commission is a Preservation Commission (as defined in the Classification Ordinance); and

WHEREAS, on August 4, 2016, the Landmarks Commission issued a written recommendation of the Project to the City Council recommending that the Project be approved by the Assessor for the Class L incentive, a copy of which is attached hereto as Exhibit 2 and hereby made a part hereof; and

WHEREAS, the Project Real Estate has been occupied and used for the 24-month period prior to the filing of the Class L eligibility application with the Assessor, making the Class L incentive applicable to the Building only; and

WHEREAS, the Department of Planning and Development of the City ("DPD") has reviewed the proposed Project, has determined that it meets the necessary eligibility requirements for Class L designation, and hereby recommends to City Council that the City expressly determine by ordinance that: 1) the incentive provided by Class L is necessary for the Substantial Rehabilitation of the Project Real Estate; 2) the City supports and consents to the granting of the incentive; and 3) the City has reviewed and accepted the Landmarks Commission's written recommendation of the Project for the Class L incentive, specifying the Project budget and proposed scope of the work, and specifying that the Project meets or exceeds the Standards of the United States Department of the Interior for Rehabilitation, Preservation, Restoration, and Reconstruction of historic properties; now, therefore,

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

SECTION 1. The above recitals are hereby expressly incorporated as if fully set forth herein.

SECTION 2. The City hereby determines that the incentive provided by Class L is necessary for the Substantial Rehabilitation of the Project Real Estate.

SECTION 3. The City hereby expressly supports and consents to the granting of the Class L incentive. The City's support and consent to the grant of certification for the Class L incentive for the Project Real Estate is expressly conditioned upon the substantial completion of the Project as proposed by the Owner and approved by the City, both upon completion of the Substantial Rehabilitation of the Project Real Estate and during the term of the Class L incentive.

SECTION 4. The Project is anticipated to be completed by December 31, 2017. The Commissioner of DPD (the "Commissioner") or a designee of the Commissioner (together with the Commissioner, an "Authorized Officer") shall have discretion to extend the construction completion date by issuing a written extension letter in response to a written request from the Owner. To the extent that the Project Real Estate is not rehabilitated, used or maintained during the term of the Class L incentive in a manner which is substantially consistent with the approved Project or Use, as determined by the Authorized Officer, the Authorized Officer is hereby authorized to take such steps as may be necessary and appropriate to withdraw the City's support and consent to the Class L incentive, which may cause the Class L certification to be terminated or revoked.

SECTION 5. The City has reviewed and hereby accepts the Landmarks Commission's written recommendation of the Project for the Class L incentive, which specifies the Project budget and proposed scope of the work, and which specifies that the Project meets or exceeds the Standards of the United States Department of the Interior for Rehabilitation, Preservation, Restoration, and Reconstruction of historic properties, a copy of which is attached hereto as Exhibit 2 and made a part hereof.

SECTION 6. The Authorized Officer is hereby authorized to deliver a certified copy of this ordinance to the Assessor and to furnish such additional information as may be required in connection with the filing of the application by the Owner with the Assessor for Class L designation of the Project Real Estate.

SECTION 7. The Authorized Officer is hereby authorized to enter into and execute such instruments and agreements, and perform any and all acts as shall be necessary or advisable in connection with the Project which reflect the terms described in Exhibit 2 hereto, or such other terms and conditions as may be imposed or approved in connection with the Project by the Authorized Officer.

SECTION 8. The Authorized Officer is hereby authorized to approve minor changes in the scope of work and budget delineated on (Sub) Exhibits A and B to Exhibit 2 hereof, provided that changes in the Building conditions warrant such changes and will not change the suitability of the Project Real Estate for the Use (all as determined in the sole discretion of the Authorized Officer). Changes to the Project budget delineated on (Sub) Exhibit A to Exhibit 2 shall not require prior City approval provided that the Project is substantially completed in accordance with the

scope of work defined in (Sub) Exhibit B to Exhibit 2 and achieves the minimum investment required for Class L eligibility.

SECTION 9. Upon request by the Owner for a final determination of the eligibility of the Project Real Estate for the Class L incentive by the Landmarks Commission pursuant to the Classification Ordinance upon completion of the Substantial Rehabilitation of the Project Real Estate, the Authorized Officer shall verify that the work performed substantially conforms to the Project approved by the City and that the Project Real Estate is eligible for the Class L incentive (the "Final Determination").

SECTION 10. Any conveyance of a fee simple interest in all or a portion of the Project Real Estate by the Owner before the Final Determination shall render the support and consent of the City for the Class L incentive set forth hereunder in connection with the Project null and void. Any renewed support and consent of the City for the Class L incentive contemplated in connection with the Project undertaken by a successor in interest to the Owner of the Project Real Estate prior to the Final Determination shall require additional approval by the Authorized Officer in his or her discretion. In addition, any change prior to the Final Determination in the direct owners in excess of 7.5% of the Owner or who constitute the direct or indirect controlling parties of the Owner, as determined by the Corporation Counsel (an "Ownership Change"), shall render the support and consent of the City for the Class L incentive set forth hereunder in connection with the Project null and void, unless such Ownership Change is approved by the Authorized Officer in his or her discretion. This Section 10 shall not apply to the transfer of a beneficial interest in the Owner to Tax Credit Investors with respect to the Project, or to the transfer of a leasehold interest in the Project Real Estate to a master tenant entity owned in whole or in part by one or more Tax Credit Investors, provided that such transfers do not involve a change to the direct or indirect controlling parties of the Owner.

SECTION 11. No permit fee waiver(s) pursuant to Section 2-120-815 of the Municipal Code of Chicago from the City related to the Project Real Estate shall be granted to the Owner during the rehabilitation of the Project and prior to the expiration of the Class L incentive related to the Project Real Estate.

SECTION 12. To the extent that any ordinance, resolution, order or provision of the Municipal Code of Chicago, or part thereof, is in conflict with the provisions of this Ordinance, the provisions of this Ordinance shall be controlling. If any section, paragraph, clause or provision shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this Ordinance.

SECTION 13. This Ordinance shall be effective from and after its passage and approval.

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4

## **EXHIBIT 1**

Legal Description (Subject to final title and survey)

#### PARCEL 1:

THE WEST 1/2 OF LOT 16 (EXCEPT THE SOUTH 35 FEET OF SAID LOTS) IN BLOCK 34 IN CARPENTER'S ADDITION TO CHICAGO OF THE SOUTHEAST 1/4 OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

#### PARCEL 2:

THE WEST 1/2 OF LOT 3, ALL OF LOTS 4, 5, 6, 9, 10, 13 AND 14 (EXCEPT THE SOUTH 35 FEET THEREOF TAKEN FOR STREETS) AND THE WEST 27 FEET OF LOT 15 (EXCEPT THE SOUTH 35 FEET THEREOF TAKEN FOR STREETS) IN BLOCK 34 IN CARPENTER'S ADDITION TO CHICAGO IN THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, EXCEPTING THEREFROM THAT PART OF LOTS 6, 9 AND 10 IN BLOCK 34 AFORESAID, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EAST LINE OF LOT 10 WHICH IS NORTH 00 DEGREES 00 MINUTES 27 SECONDS WEST 4.00 FEET FROM THE SOUTHEAST CORNER THEREOF; THENCE SOUTH 89 DEGREES 49 MINUTES 42 SECONDS WEST 50.22 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 19 SECONDS WEST 125.41 FEET; THENCE SOUTH 89 DEGREES 58 MINUTES 08 SECONDS EAST 50.28 FEET TO THE EAST LINE OF LOT 6 AFORESAID; THENCE SOUTH 00 DEGREES 00 MINUTES 27 SECONDS EAST 125.26 FEET ALONG THE EAST LINE OF LOTS 6. 9 AND 10 AFORESAID TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

## PARCEL 3:

LOT 15 (EXCEPT THE WEST 27 FEET AND EXCEPT THE SOUTH 35 FEET THEREOF) IN BLOCK 34 IN CARPENTER'S ADDITION TO CHICAGO, IN SECTION 8, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

#### Permanent Index Numbers:

17-08-432-001-0000 (includes Project Real Estate and other property; subject to pending PIN division application) 17-08-432-002-0000

17-08-432-008-0000

17-08-432-009-0000

17-08-432-010-0000

#### Addresses Commonly known as:

912-924 W. Randolph, 151-185 N. Sangamon, 913-925 W. Lake Street

**EXHIBIT 2** 

Commission on Chicago Landmarks Recommendation to the City Council

see attached

CITY OF CHICAGO COMMISSION ON CHICAGO LANDMARKS August 4, 2016

## RECOMMENDATION TO THE CITY COUNCIL THAT A CLASS L REAL ESTATE TAX REDUCTION BE APPROVED FOR

## 912-924 W. Randolph Street, 151-185 N. Sangamon Street and 913-925 W. Lake Street (Fulton-Randolph Market District)

## To the Mayor and Members of the City Council of the City of Chicago:

Whereas, the Commission on Chicago Landmarks (the "Commission") has reviewed an application for the proposed exterior and interior rehabilitation of the buildings at 912-924 W. Randolph Street, 151-185 N. Sangamon Street and 913-925 W. Lake Street (the "Property," and their rehabilitation, the "Project"), pursuant to the Cook County Real Property Assessment Classification Ordinance, as amended (the "County Ordinance"), and its requirements governing the Class L real estate tax incentive (the "Class L"); and

Whereas, the Buildings are within the Fulton-Randolph Market District, designated as a Chicago Landmark by the City Council of the City of Chicago (the "City Council") on July 29, 2015; now, therefore

## THE COMMISSION ON CHICAGO LANDMARKS HEREBY:

- 1. Incorporates the above recitals; and
- 2. Finds, based on the Project's budget and proposed scope of work, incorporated herein and attached as Exhibits A and B respectively, that the Project meets or exceeds the Secretary of the Interior's Standards for the Rehabilitation of Historic Buildings; and
- 3. Finds that the Project meets the eligibility criteria for the Class L incentive specified in the County Ordinance;
- 4. Finds that 912-924 W. Randolph, 151-185 N. Sangamon, 913-925 W. Lake are contributing buildings to the historic character of the Fulton-Randolph Market District; and,

Recommends that the Project be approved for the Class L incentive.

The above recommendation was

Rafael M. Leon Chairman

EXHIBIT A

PROJECT BUDGET

912-924 W. Randolph, 151-185 N. Sangamon and 913-925 W. Lake

Total Costs Non-eligible Costs Class L Eligible Costs

Total Acquistion and Assembly Costs \$32.77\$J73 132.775.373 S

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| Hard Colls                                   |                       |           |               |         |                        |
|--|-----------------------|-----------|---------------|---------|------------------------|
| Scaffolding and Platforms                    | J 77.080              |           |               |         | <b>■</b> 5 77,080      |
| Burners and Enclosures                       | \$ 55.401             |           |               |         | 5 55,401               |
| Con.structoin Layout uiuj Surveying          | \$                    | 1 -i J52  |               |         | S 14,452               |
| Slatting                                     | 1 150.454             |           | S             | 150.454 |                        |
| Cleaning                                     | t 15.680              |           |               |         | S 35,680               |
| Demolition                                   | \$ .177.596           |           |               |         | S 377.596              |
| Cast in Place Concrete                       | S 133,7.58            |           |               |         | li 133,758             |
| Maintemince Qnd Masonry                      | \$                    | 130,1)85  |               |         | S 136,085              |
| Retail fiikJ Office Core and Shell           | \$ 860.405            |           |               |         | \$ 860,405             |
| MelfII Fabrications                          | S 244,6(K             |           |               |         | S 244,606              |
| Metal Stairs                                 | \$ 255.520            |           |               |         | S 255,520              |
| Carpentry  Beard and Blanket Insulation      | J 175^5<br>* 52.886   |           |               |         | S 175,295              |
| Membrane Roofing                             | 52.880<br>t           | 491.385   |               |         | \$ 52,886<br>S 491,385 |
| Joint Seulanrs                               | \$ 4.817              | 451.505   |               |         | S 4,817                |
| Metal Doors and Framing Materia!             | V 38.540              |           |               |         | S 38,540               |
| Entrances and Storefronts                    | 1 362.206             |           |               |         | S 362,266              |
| Windows                                      | \$ :s3.i24            |           |               |         | S 283,124              |
| Wallboard Assemblies                         | J 721.7%              |           |               |         | S 721,796              |
| 1 ilmg                                       | t 5.636               |           |               |         | S 5,636                |
| Wall Coverings                               | S 24,531              |           |               |         | S 24,531               |
| Signage                                      | \$ 3613               |           | J 3.613       | 3       |                        |
| Facility Accessor/ Material                  | \$ 2,409              |           | % 2.40        | V       |                        |
| Fire Protection Materials                    | S 4,817               |           |               |         | J 4,817                |
| Elevators                                    | i 317.225             |           |               |         | S 337,225              |
| Ftre Suprossion                              | S 245,305             |           |               |         | V 245305               |
| Plumbing                                     | S 535.5K4             |           |               |         | S 535,584              |
| HVAC   | t                     | 1.271.125 |               |         | S 1.271,125            |
| F.IcerricHI                                  | \$ H64.I46            |           |               |         | S 864.146              |
| Sitework                                     | % 30,109              |           |               |         | S 30,109               |
| F.arthmoving                                 | J 32,759              |           |               |         | S 32,759               |
| Underpinning                                 | S 46,175              |           |               |         | S 48,175               |
| Drilled Caissons - Micropiles                | J 32,759              |           |               |         | S 32,759               |
| Paving                                       | S 23,124              |           | S             | 23.124  |                        |
| Curbs Ciulters and Driveway*                 | S 54,919              |           | J 54.91       |         |                        |
| Plantings Various Allowances                 | i 28.423<br>J 120.437 |           | \$ 28,42<br>S | i20,417 |                        |
| (jeneral Conditions and Contractor Insurance | J 120.437             | 541.41R   | 3             | 120,417 | S 541,418              |
| OC Fee                                       | S 321.484             | 341.4110  |               |         | S 321,484              |
| Environmental Remediation                    | \$ 24!).875           |           |               |         | S 240375               |
| Contingency                                  | \$ 952.694            |           |               |         | S 952,694              |
| Total Hard Costa                             | S 10,192,717          |           | S 383.:       | 380     | S 9,809,337            |
| Soil Costs                                   |                       |           |               |         |                        |
| A&t:   | \$ 578.100            |           |               |         | S 578,100              |
|  |                       |           |               |         |                        |

| File #: 02016- | '987, <b>Version:</b> 1 | ı |
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| Structural renting                     | 1 V6.3J0      |           |         |           | S 96JS0   |           |
|--|---------------|-----------|---------|-----------|-----------|-----------|
| teaal and Accounting                   | \$ 181.750    |           |         |           | S 481.750 | )         |
| Bonds for Contractors                  | i 162,435     |           |         |           | i 162,435 |           |
| Uuildors Risk insurance                | \$            | 96.>50    |         |           | S 96JSO   |           |
| Rcitnburable Expenses                  | J 144,525     |           |         |           | S 144.52  | 5         |
| Real F.state Taxes During Construction | S 72,262      |           | \$ 72.2 | 62        |           |           |
| Permits                                | \$ 57,162     |           |         |           | S 57,162  |           |
| Development Fee                        | i 1,972.006   |           |         |           | S 1,972,0 | 06        |
| Outside Leasing Commissions            | \$ 2.584.180  |           | \$ 2.58 | 4.180     |           |           |
| Tenunt Improvement Allowance           | 1i            | 4 942 579 | J       | 4 942.579 |           |           |
| Contingency                            | S             | l'.'2,681 |         |           | S 192,68° | 1         |
|  |               |           |         |           |           |           |
|  |               |           |         |           |           |           |
| Total Soft Costa                       | \$ 11,380,378 |           | S 7,59  | 9,021     | s         | 3.781.357 |
|  |               |           |         |           |           |           |
| Total Costs                            | S 54.348,468  |           | S 40,7  | 57.775    | S 13.590. | 694       |

## **EXHIBIT B**

## 912-924 W. Randolph, 151-185 N. Sangamon, and 913-925 W. Lake SCOPE OF THE WORK

General. All work affecting the significant historical and architectural features shall be done in accordance with the following:

The City of Chicago's building permit review procedures and the Landmarks Ordinance,

2-120-580 et seq. of the Municipal Code of Chicago.

The review and approval of the Commission.

The U.S. Secretary of the Interior's Standards for the Rehabilitation of Historic Buildings (the "Standards") and the Guidelines for Alterations to Historic Buildings and New Construction, adopted by the Commission on March 4, 1992. Historic photographs, architectural drawings, and any other available archival documentation of the building, to be investigated and assembled by the property owner. -' Drawings prepared by OKW Architects dated June 10, 2016, and any Commission/PRC conditions of approval.

Required Approvals. All work must be submitted to the Commission staff for prior review and approval. The Commission staff may require as part of its review, as appropriate, material samples, paint colors and finishes, shop drawings, specifications, mock-ups, test patches, and control samples.

## Required Work.

#### Exterior:

Work shall include:

Repair of masonry on all facades, replacement as needed with new masonry to match original in color, size, profile and finish.

Repair or rebuilding of masonry parapets where necessary to match historic.

Removal of paint and restoration of masonry, including any missing masonry details, at 912-914 W. Randolph.

Pointing of masonry joints as needed on all elevations, pointing mortar to match historic in type, color and joint profile.

Cleaning of all facades with gentlest means possible.

Installation of new gutters and downspouts as needed.

Repair and repainting of existing historic cast iron storefront elements. Replacement of deteriorated cast iron

ornament at 918 W. Randolph with new to match existing. Removal of non-historic ground level storefronts, overhead doors, and infill at all facades.

Installation of new storefronts, entrances, overhead doors and windows. Removal of non-historic upper level windows and window infill at all facades and installation of new windows.

Repair or replacement as necessary of existing window and door header structure. Removal of two metal fire escape systems at 918 and 920-924 W. Randolph St. and modification of existing fires escape doors to window openings. Restoration of a stone, brick and ornamental metal balcony including replication of missing elements at 918 W. Randolph.

Removal of deteriorated rooftop enclosures and chimneys and repair or replacement as necessary of existing roof structure and roofing.

Construction of new elevator enclosures atop 159-161 N. Sangamon St.

## Removal of non-historic east canopies and loading dock office. Interior:

Work shall include:

Demolition of interior walls and finishes as necessary and reconfiguration of interior spaces for new retail and office tenant spaces, public lobbies, and egress corridors. Construction of a new entrance lobby at the ground level of 159-161 N. Sangamon St. Removal of existing non-compliant stairs and elevators and construction of new code -compliant stairs and elevators (construction of a new passenger elevator core at 159-161 N. Sangamon St.) Installation of new sprinkler system and fire protection system. Installation of new mechanical, plumbing and electrical systems.

Work shall occur in accordance with permit drawings for the Project, to be reviewed and approved by the staff of the Commission on Chicago Landmarks. Upon completion of the above scope of work, the project shall exceed ASHRAE 90.1-2004 by at least 14%.

Additional work not required by the Class L, but to be undertaken by the owner, includes construction of a rooftop deck and new rooftop skylight openings. Any signage and exterior illumination shall be reviewed and approved by the Commission.

## 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: 900 Block I

Owner LLC

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

Indicate whether the Disclosing Party submitting this EDS is:

1. |X] the Applicant

OR

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

OR

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

| File :   | #: O2016-7987, <b>Vers</b>                    | ion: 1          |                   |               |                 |                                     |
|--|---|-----------------|-------------------|---------------|-----------------|-------------------------------------|
| 1 110  | m. 02010-1301, <b>voi</b> 3                   | 1011.           |                   |               |                 |                                     |
| В. Е   | Business address of the                       | e Disclosing P  | arty: 799 Cent    | ral Avenue,   | Suite 300       |                                     |
|  |   |                 | H                 | ighland Park  | s, IL 60035     |                                     |
| C.   | Telephone:                                    | (847)           | 748-3880          | Fax:          | Email:          | atucker@tuckerdevelopment.com       |
| <ma< td=""><td>ilto:atucker@tuckerd</td><td>evelopment.co</td><td>om&gt;</td><td></td><td></td><td></td></ma<> | ilto:atucker@tuckerd                          | evelopment.co   | om>               |               |                 |                                     |
| D. N   | Name of contact person                        | n: Aaron M. T   | Tucker            |               |                 |                                     |
| E. F   | ederal Employer Iden                          | ntification No. | (if you have one) | )-            |                 |                                     |
|  | Brief description of coains. (Include project |                 |                   | •             |                 | as the "Matter") to which this EDS  |
| Clas   | s L application for pro                       | operty general  | ly located within | the 900 Bloo  | ck of West Ran  | dolph Street                        |
| G. V   | Which City agency or                          | department is   | requesting this E | DS? Departn   | nent of Plannin | g and Development                   |
|  | f the Matter is a con<br>ollowing:            | ntract being h  | andled by the Ci  | ity's Departr | ment of Procur  | ement Services, please complete the |
| S  | pecification #                                |                 | (                 | and Contrac   | t if            |                                     |
|  |   |                 |                   |               |                 |                                     |
| Page   | e 1 of 13                                     |                 |                   |               |                 |                                     |

## SECTION II - DISCLOSURE OF OWNERSHIP INTERESTS

## A. NATURE OF THE DISCLOSING PARTY

| File #: O2016-7987, \  | Version: 1   |   |   |
|--|--|---|---|
|  |  |   |   |
| 2. For legal entitie   | es, the state (or foreign coun   | try) of incorporation or organization   | , if applicable: Delaware   |
| 3. For legal entition of Illinois as a foreign   | _  | e of Illinois: Has the organization re  | gistered to do business in the State  |
| [X] Yes  | [] No  | [ ] N/A   |   |
| B. IF THE DISCLOS  | SING PARTY IS A LEGAL  | ENTITY:   |   |
| profit corporations, at<br>members." For trusts,<br>If the entity is a ge<br>venture, list below the | lso list below all members, i<br>, estates or other similar enti-<br>eneral partnership, limited p<br>e name and title of each gen<br>to-day management of the D | executive officers and all directors of any, which are legal entities. If the ties, list below the legal titleholder(startnership, limited liability company eral partner, managing member, man Disclosing Party. NOTE: Each legal of | ere are no such members, write "no s).  7, limited liability partnership or joint nager or any other person or entity |
| Name Title<br>900 Block I Holdings   | s, LLC   | Manager   |   |
| interest (including ow   |  | or joint venture,   | ring a direct or indirect beneficial f such an interest include shares in a   |
|  |  | Page 2 of 13  |   |
| similar entity. If none  | e, state "None." NOTE: Purs<br>the City may require any su   | ility company, or interest of a benefit<br>suant to Section 2-154-030 of.the N<br>ch additional information from any a  | Municipal Code of Chicago   |

Name Business Address Percentage Interest in the Disclosing Party

900 Block 1 Holdings. LLC ;

799 Central Avenue, Suite 300, Highland Park, Illinois 60035

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

100%

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 M 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

| Business       | Relationship to Disclosing | Party Fees (indicate whether  |
|----------------|----------------------------|-------------------------------|
| Address        | (subcontractor, attorney,  | ,, paid or estimated.) NOTE:, |
| lo             | bbyist, etc.)              | "hourly rate" or "t.b.d." is  |
| Retained - Att | torney                     | not an acceptable response.   |
| 1900, Chica    | go, IL 60601               | \$10,000 - estimated          |
|                | lo<br>Retained - Att       | ·                             |

OKW Architects, Inc. - Retained - Architect 600 W. Jackson Blvd., Suite 250, Chicago, IL 60661 \$10,000 estimated

MHA Midwest - Historic Consultant - Retained

53 West Jackson Blvd., Suite 1142, Chicago IL 60604

\$5,000 - estimated

(Add sheets if necessary)

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

| File #: O2016-7987, Version: | 1 |
|------------------------------|---|
|                              |   |

## 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 | [X] 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?

| ] 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 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 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
- 2. identified in JSection 1I.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 Universified List, the Entity List and the Debarred List.
- 6. The Disclosing Party understands and shall comply with the applicable requirements of Chapters 2-55 (Legislative Inspector General), 2-56 (Inspector General) and 2-156 (Governmental Ethics) of the Municipal Code.
- 7. If the Disclosing Party is unable to certify to any of the above statements in this Part B (Further Certifications), the Disclosing Party must explain below:

## 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

| File #:          | D2016-7987, <b>Version:</b> 1  |          |
|------------------|--|----------|
| -                | rovided in the course of official City business and having a retail value of less than \$20 per recipient (if with "N/A" or "none"). As to any gift listed below, please also list the name of the City recipient. None  |          |
| C. CE            | TIFICATION OF STATUS AS FINANCIAL INSTITUTION  |          |
| 1.               | The Disclosing Party certifies that the Disclosing Party (check one)   |          |
| 1.               | [] is D<] is not   |          |
| a "fina          | cial 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:   |          |
| that no<br>Munic | e not and will not become a predatory lender as defined in Chapter 2-32 of the Municipal Code. We further of our affiliates is, and none of them will become, a predatory lender as defined in Chapter 2-32 of the bal Code. We understand that becoming a predatory lender or becoming an affiliate of a predatory lender the loss of the privilege of doing business with the City." | e        |
| of the           | isclosing Party is unable to make this pledge because it or any of its affiliates (as defined in Section 2-3 funicipal Code) is a predatory lender within the meaning of Chapter 2-32 of the Municipal Code, explain additional pages if necessary):   |          |
|                  | Page 7 of 13   |          |
|                  | etters "NA," the word "None," or no response appears on the lines above, it will be conclusively ed that the Disclosing Party certified to the above statements.   |          |
| D. CE            | TIFICATION REGARDING INTEREST IN CITY BUSINESS   |          |
| •                | ords or terms that are defined in Chapter 2-156 of the Municipal Code have the same meanings when this Part D.   |          |
|                  | In accordance with Section 2-156-110, of the Municipal Code: Does any official or employee of the City of interest in his or her own name or in the name of any other person or entity in the Matter?  Yes [X] No  | y have a |

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

2. Unless sold pursuant to a process of competitive bidding, or otherwise permitted, no City elected official or employee shall have a financial interest in his or her own name or in the name of any other person or entity in the

| File #: O2016-7987   | , Version: 1   |   |
|----------------------|--|---|
| legal process at the | suit of the City (collectively, "City F  | (ii) is sold for taxes or assessments, or (iii) is sold by virtue of Property Sale"). Compensation for property taken pursuant to the icial interest within the meaning of this Part D. |
| Does the Matter inv  | volve a City Property Sale?  |   |
| [] Yes               | [ ] No   |   |
| •                    | ked "Yes" to Item D.L, provide the n<br>such interest and identify the nature of | ames and business addresses of the City officials or of such interest:  |
| Name                 | Business Address   | Nature of Interest  |
|                      |  |   |
| 4. The Disclosin     | -  | ohibited financial interest in the Matter will be acquired by any   |
| E. CERTIFICATIO      | ON REGARDING SLAVERY ERA I   | BUSINESS  |
|                      | her 1. or 2. below. If the Disclosing is EDS all information required by pa      | g Party checks 2., the Disclosing Party must disclose below or in aragraph 2. Failure to  |
|                      | P  | rage 8 of 13  |
|                      |  |   |
| i                    |  |   |

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

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

## SECTION VI -- CERTIFICATIONS FOR FEDERALLY FUNDED MATTERS

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

#### A. CERTIFICATION REGARDING LOBBYING

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

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

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

Page 9 of 13

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

## B. CERTIFICATION REGARDING EQUAL EMPLOYMENT OPPORTUNITY

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

| File #: O2016-7987, Version: 1   |
|--|
|  |
| Is the Disclosing Party the Applicant?   |
| []Yes []No If "Yes," answer the three questions  |
| below:   |
| 1. Have you developed and do you have on file affirmative action programs pursuant to applicable feder regulations? (See 41 CFR Part 60-2.) []Yes []No |

2. Have you filed with the Joint Reporting Committee, the Director of the Office of Federal Contract Compliance Programs, or the Equal Employment Opportunity Commission all reports due under the applicable filing requirements? [] Yes [] No

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

[]Yes []No

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

## Page 10 of 13

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

The Disclosing Party understands and agrees that:

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

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

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

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

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

The Disclosing Party represents and warrants that:

## Page 11 of 13

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

| File #: O2016-7987, Version: 1  |
|---|
|   |
| 900 Block I Owner LLC   |
| (Print or type name of Disclosing^Party)  |
| By:   |
| (Sign here)   |
| By: 900 Block I Holdings LLC, its Manager By: 900 Block I Tucker JV LLC, its Manager By: 900 Block I Tucker Select, its Manager By: 900 Block I Tucker GP Member LLC, its Manager By: Tucker Development Corporation, its Manager |
| Notary Public.  |

Page 12 of 13

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

## FAMILIAL RELATIONSHIPS WITH ELECTED CITY OFFICIALS AND DEPARTMENT HEADS

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

Under Municipal Code Section 2-154-015, the Disclosing Party must disclose whether such Disclosing Party or any "Applicable Party" or any Spouse or Domestic Partner thereof currently has a "familial relationship" with any elected city official or department head. A "familial relationship" exists if, as of the date this EDS is signed, the Disclosing Party or any "Applicable 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 | PC] No |
|--------|--------|
|--------|--------|

| File #: | O2016-798 | 7, Version: 1 |
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|---------|-----------|---------------|

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 scofflaw or problem landlord pursuant | , II                   | cant or any Owner identified as a building code f the Municipal Code?                                   |
|----|--|------------------------|---|
|    | []Yes fc]No  |                        |   |
| 2. |  | -                      | schange, is any officer or director of the Applicant ursuant to Section 2-92-416 of the Municipal Code? |
|    | []Yes  | [ ]No                  | [X ] Not Applicable   |
| 3. | If yes to (1) or (2) above, please identify                                | y below the name of th | e person or legal entity  |

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.

## 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: 900 Block I Holdings LLC

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

Indicate whether the Disclosing Party submitting this EDS is:

- 1. [] the Applicant
  - OR
- 2. [X] a legal entity holding a direct or indirect interest in the Applicant. State the legal name of the
- 2. Applicant in which the Disclosing Party holds an interest: 900 Block I Owner LLC

OR

- 3. [] a legal entity with a right of control (see Section II.B.l.) State the legal name of the entity in which the Disclosing Party holds a right of control:
- B. Business address of the Disclosing Party: 799 Central Avenue, Suite 300
   Highland Park, IL 60035
- C. Telephone: (847) 748-3880 Fax: Email: atucker@tuckerdevelopment.com

<mailto:atucker@tuckerdevelopment.com>

- D. Name of contact person: Aaron M. Tucker
- 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):

Class L application for property generally located within the 900 block of West Randolph Street

| File #: O2016-7987, Versio  | n: 1   |
|---|--|
| G. Which City agency or do  | epartment is requesting this EDS? Department of Planning and Development   |
| If the Matter is a control following:   | ract being handled by the City's Department of Procurement Services, please complete the   |
| Specification #   | and Contract //  |
| Page 1 of 13  |  |
| SECTION II - DISCLOS  | URE OF OWNERSHIP INTERESTS   |
| A. NATURE OF THE DIS  | CLOSING PARTY  |
| Person Publicly registered business Privately held business cory Sole proprietorship General partnership Limited partnership Trust [X] Limited liability compa [] Limited liability partners [] Joint venture [] Not-for-profit corporation (Is the not-for-profit corporation [] Yes [] Other (please specify) | poration  any ship on  |
|   | state (or foreign country) of incorporation or organization, if applicable: Delaware t organized in the State of Illinois: Has the organization registered to do business in the State sy? |
| []Yes   | MNo []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

| File #: O2016-7987                          | , Version: 1  |   |    |
|---|---|---|----|
| that controls the day<br>EDS on its own beh |   | y. NOTE: Each legal entity listed below must submit an  |    |
| Name Title                                  |   |   |    |
| 900 Block I Tucke                           | r JV LLC - Manager  |   |    |
| interest (including o                       | ownership) in excess of 7.5% of the Disclosing ship interest in a partnership or joint venture            |   | a  |
|   | Page 2 of 13  | 3   |    |
| similar entity. If no                       | ne, state "None." NOTE: Pursuant to Section, the City may require any such additional in full disclosure. | or interest of a beneficiary of a trust, estate or other n 2-154-030 of the Municipal Code of Chicago nformation from any applicant which is reasonably |    |
| Name  | Business Address  | Percentage Interest in the Disclosing Party   |    |
| 900 Block I Tucker                          | JV LLC  | 100%  |    |
| 799 Central Avenu                           | e, Suite 300, Highland Park, Illinois 60035   |   |    |
| SECTION III - BU                            | USINESS RELATIONSHIPS WITH CITY   | Y ELECTED OFFICIALS   |    |
|   | ing Party had a "business relationship," as d<br>in the 12 months before the date this EDS is             | defined in Chapter 2-156 of the Municipal Code, with an is signed?  | 1y |
| [] Yes                                      | X] No   |   |    |
| If yes, please identi                       | fy below the name(s) of such City elected of  | fficial(s) and describe such relationship(s):   |    |

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

| File #   | O2016-7987. | Version:     | 1 |
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The Disclosing Party must disclose the name and business address of each subcontractor, attorney, lobbyist, accountant, consultant and any other person or entity whom the Disclosing Party has retained or expects to retain in connection with the Matter, as well as the nature of the relationship, and the total amount of the fees paid or estimated to be paid. The Disclosing Party is not required to disclose employees who are paid solely through the Disclosing Party's regular payroll.

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

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

Name (indicate whether retained or anticipated to be retained)

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

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

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

(Add sheets if necessary)

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

## **SECTION V - CERTIFICATIONS**

## A. COURT-ORDERED CHILD SUPPORT COMPLIANCE

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

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

[] Yes [X] No [] No person directly or indirectly owns 10% or more of the 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 J")(which the Applicant should consult for defined terms (e.g., "doing business") and legal requirements), if the Disclosing Party submitting this EDS is the Applicant and is doing business with the City, then the Disclosing Party certifies as follows: (i) neither the Applicant nor any controlling person is currently indicted or charged with, or has admitted guilt of, or has ever been convicted of, or placed under supervision for, any criminal offense involving actual, attempted, or conspiracy to commit bribery, theft, fraud, forgery, perjury, dishonesty or deceit against an officer or employee of the City or any sister agency; and (ii) the Applicant understands and acknowledges that compliance with Article I is a continuing requirement for doing business with the City. NOTE: If Article I applies to the Applicant, the permanent compliance timeframe in Article I supersedes some five-year compliance timeframes in certifications 2 and 3 below.

## Page 4 of 13

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

## Page 5 of 13

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

- a. bribed or attempted to bribe, or been convicted or adjudged guilty of bribery or attempting to bribe, a public officer or employee of the City, the State of Illinois, or any agency of the federal government or of any 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.

| File | #: | O2016 | -7987 | . Version: | 1 |
|------|----|-------|-------|------------|---|
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- 5. Neither the Disclosing Party nor any Affiliated Entity is listed on any of the following lists maintained by the Office of Foreign Assets Control of the U.S. Department of the Treasury or the Bureau of Industry and Security of the U.S. Department of Commerce or their successors: the Specially Designated Nationals List, the Denied Persons List, the Universified List, the Entity List and the Debarred List.
- 6. The Disclosing Party understands and shall comply with the applicable requirements of Chapters 2-55 (Legislative Inspector General), 2-56 (Inspector General) and 2-156 (Governmental Ethics) of the Municipal Code.
- 7. If the Disclosing Party is unable to certify to any of the above statements in this Part B (Further Certifications), the Disclosing Party must explain below:

#### Pace 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 [X] is not

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

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

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

## Page 7 of 13

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

## D. CERTIFICATION REGARDING INTEREST IN CITY BUSINESS

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

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

[]Yes [X]No

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

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

Does the Matter involve a City Property Sale?

[]Yes []No

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

| File #: O2016-7987, Version: 1 |                  |                    |  |
|--------------------------------|------------------|--------------------|--|
| Name                           | Business Address | Nature of Interest |  |

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

### E. CERTIFICATION REGARDING SLAVERY ERA BUSINESS

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

Page 8 of 13

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

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

## SECTION VI - CERTIFICATIONS FOR FEDERALLY FUNDED MATTERS

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

## A. CERTIFICATION REGARDING LOBBYING

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

| File #: O2016-7987,   |  |       |
|---|--|-------|
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| conclusively presum   | pears or begins on the lines above, or if the letters "NA" or if the word "None" appear, it will be ed that the Disclosing Party means that NO persons or entities registered under the Lobbying 95 have made lobbying contacts on behalf of the Disclosing Party with respect to the Matter.)   |       |
| entity listed in Parag<br>to influence an office<br>or employee of Cong<br>contract, making any | g Party has not spent and will not expend any federally appropriated funds to pay any person or raph A.l. above for his or her lobbying activities or to pay any person or entity to influence or atter or employee of any agency, as defined by applicable federal law, a member of Congress, an offices, or an employee of a member of Congress, in connection with the award of any federally funded grant or loan, entering into any cooperative agreement, or to extend, continue, dify any federally funded contract, grant, loan, or cooperative agreement.  Page 9 of 13 | icer  |
|   |  |       |
| which there occu  | ng Party will submit an updated certification at the end of each calendar quarter in as any event that materially affects the accuracy of the statements and information set as A.l. and A.2. above.   |       |
| Revenue Code of 19  | ng Party certifies that either: (i) it is not an organization described in section 501(c)(4) of the Inter-<br>86; or (ii) it is an organization described in section 501(c)(4) of the Internal Revenue Code of 198 and will not engage in "Lobbying Activities".   |       |
| substance to paragra<br>Disclosing Party mu   | sing Party is the Applicant, the Disclosing Party must obtain certifications equal in form and ohs A.l. through A.4. above from all subcontractors before it awards any subcontract and the st maintain all such subcontractors' certifications for the duration of the Matter and must make such available to the City upon request.  | ch    |
| B. CERTIFICATIO   | REGARDING EQUAL EMPLOYMENT OPPORTUNITY   |       |
|   | ally funded, federal regulations require the Applicant and all proposed subcontractors to submit ation with their bids or in writing at the outset of negotiations.  |       |
| Is the Disclosing Par   | ry the Applicant?  |       |
| []Yes   | [ ] No   |       |
| If "Yes," answer the  | three questions below:   |       |
| 1. Have you de regulations? (See 41   | veloped and do you have on file affirmative action programs pursuant to applicable fed CFR Part 60-2.)  [] No  | leral |

| File : | #: ( | 02016 | -79 | 87. <b>\</b> | /ers | ion: | 1 |
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- 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:

## Paae I Oof 13

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

The Disclosing Party understands and agrees that:

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

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

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

the public release of information contained in this EDS and also authorizes the City to verify the accuracy of any information submitted in this EDS.

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

The Disclosing Party represents and warrants that:

## Page I I of 13

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

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

## **CERTIFICATION**

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

## 900 Block I Holdings LLC (Print or type name of Disclosing Paxty)

By:

(Sign here)

By: 900 Block I Tucker JV LLC, its Manager

By: 900 Block I Tucker Select, its Manager

By: 900 Block I Tucker GP Member LLC, its Manager By: Tucker Development Corporation, its Manager President and Chief Executive Officer

(Print or type title of person signing) %10 6aL fifaU (state).
Notary Public.

Page 12 of 13

Signed and sworn to beforeme on (date,)

# CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT APPENDIX A

## FAMILIAL RELATIONSHIPS WITH ELECTED CITY OFFICIALS AND DEPARTMENT HEADS

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

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

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

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

[] Yes [X] No

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

| File #: O2016-7987, Version:      | 1   |  |                       |
|-----------------------------------|---|--|-----------------------|
| familial relationship, and (4) tl | ne precise nature of such famili                                | ıl relationship.   |                       |
|                                   | Page 13 or  | £13  |                       |
|                                   | CITY OF CHICAGO ECON<br>APPEN                                   | OMIC DISCLOSURE STATEMENT AN<br>AFFIDAVIT<br>DIX B   | ND                    |
| BUILDING CODE S                   | COFFLAW/PROBLEM LAN   | DLORD CERTIFICATION  |                       |
| ownership interest in the Ap      |   | pplicant, and (b) any legal entity which h<br>(an "Owner"). It is not to be completed b<br>Applicant.                          |                       |
|                                   | Code Section 2-154-010, is the andlord pursuant to Section 2-92 | Applicant or any Owner identified as a build 2-416 of the Municipal Code?  | ling code             |
| []Yes fc]No                       |   |  |                       |
|                                   |   | any exchange, is any officer or director lord pursuant to Section 2-92-416 of the M  |                       |
| []Yes                             | [ ]No   | [X] Not Applicable   |                       |
|                                   |   | me of the person or legal entity identified as ailding or buildings to which the pertinent c                                   |                       |
| THAT THIS APPEN<br>THE ASSOCIATED | DIX B IS INCORPORATED<br>EDS, AND THAT THE REP                  | ES ACKNOWLEDGMENT AND AGRE<br>BY REFERENCE INTO, AND MADE A<br>RESENTATIONS MADE IN THIS APPI<br>DE UNDER PENALTY OF PERJURY O | A PART OF,<br>ENDIX B |

OF THE ASSOCIATED EDS.

| File #: | O2016-7987, Vers | sion: | 1 |
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# CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT

## **SECTION I - GENERAL INFORMATION**

A. Legal name of the Disclosing Party submitting this EDS. Include d/b/a/ if applicable: 900 Block I Tucker JV LLC

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

Indicate whether the Disclosing Party submitting this EDS is:

- 1. [] the Applicant
  - OR
- 2. |x] a legal entity holding a direct or indirect interest in the Applicant. State the legal name of the
- 2. Applicant in which the Disclosing Party holds an interest: 900 Block I Owner LLC

OR

- 3. [] a legal entity with a right of control (see Section II.B.l.) State the legal name of the entity in which the Disclosing Party holds a right of control:
- B. Business address of the Disclosing Party: 799 Central Avenue, Suite 300
   Highland Park, IL 60035
- C. Telephone: (847) 748-3880 Fax: Email: atucker@tuckerdevelopment.com

<mailto:atucker@tuckerdevelopment.com>

- D. Name of contact person: Aaron M. Tucker
- 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):

Class L application for property generally located within the 900 block of West Randolph Street

| File #: O2016-7987, Version:                                  | <u> </u>   |                                  |
|---|--|----------------------------------|
| G. Which City agency or depar                                 | tment is requesting this EDS? Department of Planning and       | d Development                    |
| If the Matter is a contract following:                        | being handled by the City's Department of Procurement          | nt Services, please complete th  |
| Specification #   | and Contract //  |                                  |
| Page 1 of 13  |  |                                  |
| SECTION II DISCLOSUR  | E OF OWNERSHIP INTERESTS                                       |                                  |
| A. NATURE OF THE DISCLO                                       | OSING PARTY 1. Indicate the                                    |                                  |
| nature of the Disclosing Par                                  | ty:  |                                  |
| Person  | [X] Limited liability company                                  |                                  |
| Publicly registered busines                                   |  |                                  |
| Privately held business cor                                   |  |                                  |
| Sole proprietorship   | [] Not-for-profit corporation                                  |                                  |
| General partnership   | (Is the not-for-profit corporation al                          | so a 501(c)(3))?                 |
| Limited partnership   | [] Yes [] No   |                                  |
| Trust   | [] Other (please specify)                                      |                                  |
| 2. For legal entities, the stat                               | e (or foreign country) of incorporation or organization, if a  | applicable: Delaware             |
| 3. For legal entities not orgof Illinois as a foreign entity? | ganized in the State of Illinois: Has the organization registe | ered to do business in the State |
| []Yes   | K]No []N/A   |                                  |
| B. IF THE DISCLOSING PAR                                      | TY 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 titleholdcr(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 900 Block I Tucker Select, LLC - Manager

| File #:   | O2016-7987. | Version:     | 1 |
|-----------|-------------|--------------|---|
| 1 IIC 77. | 02010-1301. | V CI SIUI I. |   |

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 |     |
|------------------------------|---------------------------|----------|---|-----|
| 900 Block I Tucker GP LLC    |                           | :        |   | 25% |
| 799 Central Avenue, Suite 30 | 0, Highland Park, Illinoi | is 60035 |   |     |
| MSK Fulton Market Phase I,   | LLC                       |          |   | 75% |
| 180 North Stetson Avenue, S  | uite 4500, Chicago, IL 6  | 50601    |   |     |

# 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 IX] No

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

# SECTION IV - DISCLOSURE OF SUBCONTRACTORS AND OTHER RETAINED PARTIES

The Disclosing 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

| File #: O2016-7987, V                           | ersion: 1         |  |  |
|---|-------------------|--|--|
| person or entity any paradministrative action.  | art of whose duti | es as an employee of another include   | s undertaking to influence any legislative or  |
| _   |                   | whether a disclosure is required unde<br>sure is required or make the disclosu |  |
|   |                   | Pace 3 of 13   |  |
| Name (indicate whet                             | her Business      | Relationship to Disclosing Party   | Fees (indicate whether   |
| retained or anticipat<br>to be retained)        |                   | (subcontractor, attorney, lobbyist, etc.)                                      | paid or-estimated.) NOTE:  "hourly rate" or "t.b.d." is  not an acceptable response. |
| (Add sheets if necessar<br>[X] Check here if t  |                   | Party has not retained, nor expec  | ets to retain, any such persons or entities.   |
| SECTION V CER                                   | TIFICATIONS       |  |  |
| A. COURT-ORDER                                  | ED CHILD SUP      | PORT COMPLIANCE  |  |
| -   |                   | 2-415, substantial owners of business support obligations throughout the co    | entities that contract with the City must entract's term.                            |
| • •   | ~                 | etly owns 10% or more of the Disclos is court of competent jurisdiction?       | ing Party been declared in arrearage on any  |
| [ ] Yes   | [X] No            | [] No person directly or indirectly o Disclosing Party.                        | wns 10% or more of the   |
| If "Yes," has the person compliance with that a |                   | court-approved agreement for payme   | ent of all support owed and is the person in   |
| []Yes []No                                      |                   |  |  |

B. FURTHER CERTIFICATIONS

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

#### Paae 4 of 13

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

# File #: O2016-7987, Version: 1

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

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

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

- a. bribed or attempted to bribe, or been convicted or adjudged guilty of bribery or attempting to bribe, a public officer or employee of the City, the State of Illinois, or any agency of the federal government or of any state or local government in the United States of America, in that officer's or employee's official capacity;
- 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 Universified List, the Entity List and the Debarred List.
- 6. The Disclosing Party understands and shall comply with the applicable requirements of Chapters 2-55 (Legislative Inspector General), 2-56 (Inspector General) and 2-156 (Governmental Ethics) of the Municipal Code.
  - 7. If the Disclosing Party is unable to certify to any of the above statements in this Part B (Further Certifications),

| the Disclosing Party must explain below:  |
|---|
|   |
|   |
| Page 6 ol" 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 [Xl is not   |
|   |

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

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

File #: O2016-7987, Version: 1

"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)

| File #: O2016-7987, Version: 1  |   |
|---|---|
| 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

[X] No

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

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

Does the Matter involve a City Property Sale?

[]Yes []No

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

Name Business Address Nature of Interest

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

# E. CERTIFICATION REGARDING SLAVERY ERA BUSINESS

File #: O2016-7987, Version: 1

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

Page 8 of 13

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

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

# SECTION VI - CERTIFICATIONS FOR FEDERALLY FUNDED MATTERS

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

#### A. CERTIFICATION REGARDING LOBBYING

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

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

2. The Disclosing Party has not spent and will not expend any federally appropriated funds to pay any person or entity listed in Paragraph A. 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

| File #: O2016-7987, Version                         | on: 1  |
|---|--|
| •   | making any federally funded grant or loan, entering into any cooperative agreement, or to mend, or modify any federally funded contract, grant, loan, or cooperative agreement.  Page 9 of 13  |
|   | ty will submit an updated certification at the end of each calendar quarter in which there erially affects the accuracy of the statements and information set forth in paragraphs A.l. and   |
| Revenue Code of 1986; or                            | rty certifies that either: (i) it is not an organization described in section 501(c)(4) of the Internal (ii) it is an organization described in section 501(c)(4) of the Internal Revenue Code of 1986 rill not engage in "Lobbying Activities".   |
| substance to paragraphs A Disclosing Party must mai | arty is the Applicant, the Disclosing Party must obtain certifications equal in form and .l. through A.4. above from all subcontractors before it awards any subcontract and the ntain all such subcontractors' certifications for the duration of the Matter and must make such ailable to the City upon request. |
| B. CERTIFICATION REC                                | GARDING EQUAL EMPLOYMENT OPPORTUNITY   |
| · · · · · · · · · · · · · · · · · · ·               | unded, federal regulations require the Applicant and all proposed subcontractors to submit 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 regulations? (See 41 CFR 1)   | ed and do you have on file affirmative action programs pursuant to applicable federal Part 60-2.)  [] No   |
| · · · · · · · · · · · · · · · · · · ·               | h the Joint Reporting Committee, the Director of the Office of Federal Contract Compliance apployment Opportunity Commission all reports due under the applicable filing requirements?  [] No  |
| 3. Have you participa opportunity clause? [] Yes    | ted in any previous contracts or subcontracts subject to the equal   |
|   |  |

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

# Page 10 of 13

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

The Disclosing Party understands and agrees that:

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

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

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

The Disclosing Party represents and warrants that:

# Page 1 1 of 13

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

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

## **CERTIFICATION**

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

900 Block I Tucker JV LLC (Print or type name of DisclosingPitrty)

(S'ign here) Richard H. Tucker (Print or type name of person signing)

President and Chief Executive Officer (Print or type title of person signing)

By: 900 Block I Tucker Select, its Manager

By: 900 Block I Tucker GP Member LLC, its Manager By: Tucker Development Corporation, its Manager

Signed and sworn to before merori-(date) OoJV0^f yj'

County A (<-LitU?«> (state).

Co mm

CT^jM^Lf ^ N

Page 12 of 13

File #: O2016-7987, Version: 1

"OFFICIAL SEAL" j JOANNE M. DEC | » Notary PubBc, State of IWnob i My Comritesion Expires 09/25/19 4;

# CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT APPENDIX A

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

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

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

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

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

[] Yes PC] No

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

# CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT 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 iX]No   |
| 2.     | . If the Applicant is a legal entity publicly traded on any exchange, is any officer or director of the Applicant identified as a building code scofflaw or problem landlord pursuant to Section 2-92-416 of the Municipal Code?   |
|        | [ ]Yes [ ]No [X ] Not 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. |
|        |  |
|        |  |
|        |  |
|        |  |
|        | CITY OF CHICAGO ECONOMIC DISCLOSURE<br>STATEMENT AND AFFIDAVIT   |
| SEC    | TION I GENERAL INFORMATION   |
| A. I   | Legal name of the Disclosing Party submitting this EDS. Include d/b/a/ if applicable: 900 Block I  |
| Tuck   | er GP LLC  |
| Chec   | k ONE of the following three boxes:  |
| Indica | ate whether the Disclosing Party submitting this EDS is:   |

File #: O2016-7987, Version: 1

| File #: O2016-7987, Ve   | rsion: 1       |                       |                  |                 |                                     |
|--|----------------|-----------------------|------------------|-----------------|-------------------------------------|
| 1. [] the Applicant OR   |                |                       |                  |                 |                                     |
| 2. [X] a legal entity  | holding a dir  | ect or indirect inter | est in the Appli | cant. State the | e legal name of the                 |
| 2. Applicant in which OR   | the Disclos    | sing Party holds an   | interest: 900 B  | lock I Owner    | LLC                                 |
| 3. [] a legal entity w which the Disclosing  | _              | *                     | n II.B.l.) State | the legal name  | e of the entity in ;-,              |
| B. Business address of t   | he Disclosing  | g Party: .799 Cen     | ntral Avenue, S  | uite 300        |                                     |
|  |                | I                     | Highland Park,   | IL 60035        |                                     |
| C. Telephone:  | (847)          | 748-3880              | Fax:             | Email:          | atucker@tuckerdevelopment.com       |
| <mailto:atucker@tucker< td=""><td>rdevelopmen</td><td>t.com&gt;</td><td></td><td></td><td></td></mailto:atucker@tucker<> | rdevelopmen    | t.com>                |                  |                 |                                     |
| D. Name of contact pers  | son: Aaron M   | I. Tucker             |                  |                 |                                     |
| E. Federal Employer Ide  | entification N | No. (if you have one  | e).              | •               | ,-                                  |
| F. Brief description of copertains. (Include project   |                |                       | • ,              |                 | as the "Matter") to which this EDS  |
| Class L application for p  | property gene  | erally located within | the 900 block    | of West Rand    | lolph Street                        |
| G. Which City agency o   | r department   | is requesting this E  | EDS? Departme    | ent of Planning | g and Development                   |
| If the Matter is a co-following:   | ontract being  | handled by the C      | City's Departme  | ent of Procure  | ement Services, please complete the |
| Specification #  |                |                       | and Contract     | tt              |                                     |
| Page I of 13   |                |                       |                  |                 |                                     |
| SECTION II DISCI   | LOSURE OF      | OWNERSHIP IN          | NTERESTS         |                 |                                     |

# A. NATURE OF THE DISCLOSING PARTY

Person
Publicly registered business corporation
Privately held business corporation
Sole proprietorship
General partnership
Limited partnership

| File #: O2016-7987, V   | ersion: 1   |   |             |
|---|---|---|-------------|
| ` •   | rtnership   | ))?   |             |
| 2. For legal entities   | s, the state (or foreign cour   | ntry) of incorporation or organization, if applicable: Delaware   |             |
| 3. For legal entition of Illinois as a foreign  |   | te of Illinois: Has the organization registered to do business in the Sta   | ite         |
| [] Yes  | N No  | [ ] N/A   |             |
| B. IF THE DISCLOSE  | ING PARTY IS A LEGAI  | ENTITY:   |             |
| profit corporations, also<br>members." For trusts,<br>If the entity is a get<br>venture, list below the | so list below all members, estates or other similar enternal partnership, limited per name and title of each geno-day management of the | executive officers and all directors of the entity. NOTE: For not-for-<br>if any, which are legal entities. If there are no such members, write "natities, list below the legal titleholder(s).<br>partnership, limited liability company, limited liability partnership or partnership, managing member, manager or any other person or entitional partnership. NOTE: Each legal entity listed below must submit a | joint<br>ty |
| Name Title<br>900 Block I Tucker G  | P Member LLC - Member   | ·/Manager   |             |
| Marshall Gold Declar  | ration of Trust dated 5/3/03  | 3 - Member/Manager  |             |
| interest (including own   |   | concerning each person or entity having a direct or indirect beneficial of the Disclosing Party. Examples of such an interest include shares or joint venture,  |             |
| similar entity. If none   | , state "None." NOTE: Pur<br>he City may require any su   | bility company, or interest of a beneficiary of a trust, estate or other suant to Section 2-154-030 of the Municipal Code of Chicago uch additional information from any applicant which is reasonably  |             |

**Business Address** 

Name

Percentage Interest in the

| File #: O2016-7987, Version: 1                               |                  |     |
|--|------------------|-----|
|  | Disclosing Party |     |
| 900 Block I Tucker GP Member LLC                             |                  | 10% |
| 799 Central Avenue, Suite 300, Highland Park, Illinois 60035 |                  |     |
| Marshall Gold Declaration of Trust, dated 5/3/2003           |                  | 90% |
| 799 Central Avenue, Suite 300, Highland Park, Illinois 60035 |                  |     |

## 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 |X] No

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

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

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

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

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

Page 3 of 13

Name (indicate whether retained or anticipated to be retained)

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

lobbyist, etc.)

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

| File #: O2016-7987, Version: 1   |     |
|--|-----|
|  |     |
|  |     |
| (Add sheets if necessary)  |     |
| [X] Check here if the Disclosing Party has not retained, nor expects to retain, any such persons or entiti   | ies |
| SECTION V - CERTIFICATIONS   | ·Cs |
| 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 [X] No [] No person directly or indirectly owns 10% or more of the Disclosing Party.  |     |
| If "Yes," has the person entered into a court-approved agreement for payment of all support owed and is the person in compliance with that agreement?  |     |
| [] Yes [] No   |     |
| B. FURTHER CERTIFICATIONS  |     |
| 1. Pursuant to Municipal Code Chapter 1-23, Article I ("Article I")(which the Applicant should consult for defined terms (e.g., "doing business") and legal requirements), if the Disclosing Party submitting this EDS is the Applicant and 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. | is  |

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

- a. are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from any transactions by any federal, state or local unit of government;
- b. have not, within a five-year period preceding the date of this EDS, been convicted of a criminal offense, adjudged guilty, or had a civil judgment rendered against them in connection with: obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under a public transaction; a violation of federal or state antitrust statutes; fraud; embezzlement; theft; forgery; bribery; falsification or destruction of records; making false statements; or receiving stolen property;
- c. are not presently indicted for, or criminally or civilly charged by, a governmental entity (federal, state or local) with committing any of the offenses set forth in clause B.2.b. of this Section V;
- d. have not, within a five-year period preceding the date of this EDS, had one or more public transactions (federal, state or local) terminated for cause or default; and
- 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 Parly, any Contractor or any Affiliated Entity or any other official, agent or employee of the Disclosing Party, any Contractor or any Affiliated Entity, acting pursuant to the direction or authorization of a responsible official of the Disclosing Party, any Contractor or any Affiliated Entity (collectively "Agents").

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

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

| File #: | : O2016-7987, <b>Version:</b> 1 |  |
|---------|---------------------------------|--|
|         |                                 |  |

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 [X] is not

"none"). None

- 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

| File #: O2016-7987  | , Version: 1   |   |
|---|--|---|
| of the City have<br>entity in the Mar<br>[] Yes                       |  | ame or in the name of any other person or   |
| NOTE: If you chec<br>Part E.  | ked "Yes" to Item D.l., proceed to Item  | as D.2. and D.3. If you checked "No" to Item D.1., proceed to   |
| elected official cany other person for taxes or asserucity Property S | or entity in the purchase of any proper<br>ssments, or (iii) is sold by virtue of lega | est in his or her own name or in the name of<br>ty that (i) belongs to the City, or (ii) is sold<br>all process at the suit of the City (collectively,<br>pursuant to the City's eminent domain power |
| Does the Matter inv   | volve a City Property Sale?  |   |
| [] Yes  | [ ] No   |   |
| •   | ked "Yes" to Item D.l., provide the nam<br>oyees having such interest and identify     | •   |
| Name  | Business Address   | Nature of Interest  |
|   |  | bited financial interest in the Matter will be acquired by any  |
| City official or emp  | loyee.   |   |

# E. CERTIFICATION REGARDING SLAVERY ERA BUSINESS

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

Page 8 of 13

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

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

| File #: C | 2016-7987, | Versi | ion: | 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.l. above for his or her lobbying activities or to pay any person or entity to influence or attempt to influence an officer or employee of any agency, as defined by applicable federal law, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress, in connection with the award of any federally funded contract, making any federally funded grant or loan, entering into any cooperative agreement, or to extend, continue, renew, amend, or modify any federally funded contract, grant, loan, or cooperative agreement.

Page 9 of 13

- 3. The Disclosing Party will submit an updated certification at the end of each calendar quarter in which there occurs any event that materially affects the accuracy of the statements and information set forth in paragraphs A.l. and A.2. above.
- 4. The Disclosing Party certifies that either: (i) it is not an organization described in section 501(c)(4) of the Internal Revenue Code of 1986; or (ii) it is an organization described in section 501(c)(4) of the Internal Revenue Code of 1986 but has not engaged and will not engage in "Lobbying Activities".

| File #: O2016-7987,                                 | Version: 1  |
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| substance to paragra<br>Disclosing Party mu         | osing Party is the Applicant, the Disclosing Party must obtain certifications equal in form and aphs A.l. through A.4. above from all subcontractors before it awards any subcontract and the ast maintain all such subcontractors' certifications for the duration of the Matter and must make such only available to the City upon request. |
| B. CERTIFICATIO                                     | N REGARDING EQUAL EMPLOYMENT OPPORTUNITY  |
|   | rally funded, federal regulations require the Applicant and all proposed subcontractors to submit nation with their bids or in writing at the outset of negotiations.   |
| Is the Disclosing Pa                                | rty the Applicant?  |
| []Yes   | [ ] No  |
| If "Yes," answer the                                | three questions below:  |
| 1. Have you de regulations? (See 41                 | eveloped and do you have on file affirmative action programs pursuant to applicable federa CFR Part 60-2.)  [] No   |
|   | ed with the Joint Reporting Committee, the Director of the Office of Federal Contract Compliance ual Employment Opportunity Commission all reports due under the applicable filing requirements?  [] No   |
| 3. Have you pa<br>opportunity clause?<br>[JYes []No | articipated in any previous contracts or subcontracts subject to the equal  |
| If you checked "No"                                 | to question 1. or 2. above, please provide an explanation:  |
|   |   |
|   | Pace 10 of 13   |

SECTION VII - ACKNOWLEDGMENTS, COMPLIANCE, PENALTIES, DISCLOSURE

CONTRACT

INCORPORATION,

The Disclosing Party understands and agrees that:

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

which this EDS is based.

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

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

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

The Disclosing Party represents and warrants that:

# Page 1 1 of 13

- F. J. 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

## File #: O2016-7987, Version: 1

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

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

## CERTIFICATION

Under penalty of perjury, the person signing below: (1) 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.

900 Block I Tucker GP LLC

By: 900 Block 1 Tucker GP Member, LLC, its Manager By: Tucker Development Corporation, its Manager

Richard H. Tucker

(Print or type name of person signing)

President and Chief Executive Officer (Print or type title of person signing)

Notary Public.

Signed and sworn to before me<-on<sub>N</sub>(date) ( $^TD^PL$  rffltt $^*$  at  $J^g/_2$  County, (( $fU^U \pounds$ , (state). C o m missi o,< i expires: Page 12 of 13

**I** /

"OFT'ICIAL SEAL": JOANNE M. Dec; Notary PubUc, State of ISnob \; My Comirisston Expires 09/25/19 g

# 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

| File #: O2016-7987, Version: | - 1 | on: | Versic | 987. | 16- | 020 | #: | File |
|------------------------------|-----|-----|--------|------|-----|-----|----|------|
|------------------------------|-----|-----|--------|------|-----|-----|----|------|

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

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

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

[] Yes [X] No

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

# Pace 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 rx]No

| File #: 020         | 16-7987, <b>Version:</b> 1   |                           |                           |                 |                       |                           |                     |            |       |
|---------------------|--|---------------------------|---------------------------|-----------------|-----------------------|---------------------------|---------------------|------------|-------|
|                     | e Applicant is a legantified as a building co                              |                           |                           |                 |                       |                           |                     |            |       |
| []                  | Yes  | [                         | ] No                      | I               | X] Not A <sub>l</sub> | oplicable                 |                     |            |       |
| ide                 | s to (1) or (2) above, partified as a building of pertinent code violation | code scofflaw o           |                           |                 |                       |                           | ding or bui         | ildings to | which |
| TH<br>AS<br>SU      | LING OUT THIS APIS APPENDIX B IS       | NCORPORATI<br>ND THAT THE | ED BY REFER<br>REPRESENT. | RENCE<br>ATIONS | INTO, AN<br>S MADE II | D MADE A P<br>N THIS APPE | ART OF,<br>NDIX B A | THE<br>ARE |       |
|                     |  |                           |                           |                 |                       | OMIC DISCL<br>AFFIDAVIT   | OSURE               |            |       |
| SECTION             | I - GENERAL INF  | ORMATION                  |                           |                 |                       |                           |                     |            |       |
| A. Legal Declaratio | name of the Disc<br>n of Trust dated 5/3/2                                 | closing Party 003         | submitting th             | is EDS          | . Include             | d/b/a/ if ap              | pplicable:          | Marshall   | Gold  |
|                     | hether the Disclosing  |                           | g this EDS is:            |                 |                       |                           |                     |            |       |

# 3. [] a legal entity with a right of control (see Section II.B.l.) State the legal name of the entity in

Page 65 of 161

2. rX] 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: 900 Block I Owner LLC

1. [] the Applicant

OR

Office of the City Clerk

| File #: O2016-7987, Version: 1   |  |
|--|--|
| which the Disclosing Party holds a right of c  | control:   |
| B. Business address of the Disclosing Party:   | 60 Revere Drive, Suite 870<br>Northbrook, IL 60062   |
| C. Telephone: (224) 723-5768 FaXr.   | Email:   |
| D. Name of contact person: Marshall Gold   |  |
| E. Federal Employer Identification No. (if you   | have one): N/A   |
| F. Brief description of contract, transaction or pertains. (Include project number and location of   | other undertaking (referred to below as the "Matter") to which this EDS of property, if applicable): |
| Class L application for property generally locate  | ed within the 900 Block of West Randolph Street  |
| G. Which City agency or department is requesti   | ing this EDS? Department of Planning and Development   |
| If the Matter is a contract being handled l following:   | by the City's Department of Procurement Services, please complete the                                |
| Specification #  | and Contract #   |
| Page 1 of 13   |  |
| SECTION II - DISCLOSURE OF OWNERS  | SHIP INTERESTS   |
| A. NATURE OF THE DISCLOS  [ ] Person [ ] Publicly registered business corporation [ ] Privately held business corporation [ ] Sole proprietorship [ ] General partnership [ ] Limited partnership [ X] Trust | SING PARTY 1. Indicate the nature of the Disclosing Party:  [ ]  [ ]  [ ]  [ ]  [ ]  [ ]  [ ]  [     |
| Limited liability company Limited liability part Not-for-profit corporation the not-for-profit corporation also a 501(c)(3))?  [] Yes [] No Other (please specify)   | •  |

| File #: | O2016-798 | 7, Version: 1 |
|---------|-----------|---------------|
|---------|-----------|---------------|

- 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 K]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 Marshall Gold

Trustee

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

Page 2 of 13

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

Name Business Address Percentage Interest in the

**Disclosing Party** 

Marshall D. Gold 60 Revere Drive Ste 870 100%

Northbrook, IL 60062

## 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 |X] No

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

## SECTION IV - DISCLOSURE OF SUBCONTRACTORS AND OTHER RETAINED 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 Fees (indicate whether (subcontractor, attorney, lobbyist, etc.) paid or estimated. "hourly rate" or "t.l

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

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

[]Yes []No

## **B. FURTHER CERTIFICATIONS**

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

# Page 4 of 13

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

with committing any of the offenses set forth in clause B.2.b. of this Section V;

- d. have not, within a five-year period preceding the date of this EDS, had one or more public transactions (federal, state or local) terminated for cause or default; and
- e. have not, within a five-year period preceding the date of this EDS, been convicted, adjudged guilty, or found liable in a civil proceeding, or in any criminal or civil action, including actions concerning environmental violations, instituted by the City or by the federal government, any state, or any other unit of local government.
- 3. The certifications in subparts 3, 4 and 5 concern:
- the Disclosing Party;
- any "Contractor" (meaning any contractor or subcontractor used by the Disclosing Party in connection with the Matter, including but not limited to all persons or legal entities disclosed under Section IV, "Disclosure of Subcontractors and Other Retained Parties");
- any "Affiliated Entity" (meaning a person or entity that, directly or indirectly: controls the Disclosing Party, is controlled by the Disclosing Party, or is, with the Disclosing Party, under common control of another person or entity. Indicia of control include, without limitation: interlocking management or ownership; identity of interests among family members, shared facilities and equipment; common use of employees; or organization of a business entity following the ineligibility of a business entity to do business with federal or state or local government, including the City, using substantially the same management, ownership, or principals as the ineligible entity); with respect to Contractors, the term Affiliated Entity means a person or entity that directly or indirectly controls the Contractor, is controlled by it, or, with the Contractor, is under common control of another person or entity;
- any responsible official of the Disclosing Party, any Contractor or any Affiliated Entity or any other official, agent or employee of the Disclosing Party, any Contractor or any Affiliated Entity, acting pursuant to the direction or authorization of a responsible official of the Disclosing Party, any Contractor or any Affiliated Entity (collectively "Agents").

# Page 5 of 13

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

- a. bribed or attempted to bribe, or been convicted or adjudged guilty of bribery or attempting to bribe, a public officer or employee of the City, the State of Illinois, or any agency of the federal government or of any state or local government in the United States of America, in that officer's or employee's official capacity;
- b. agreed or colluded with 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 Universified List, the Entity List and the Debarred List.
- 6. The Disclosing Party understands and shall comply with the applicable requirements of Chapters 2-55 (Legislative Inspector General), 2-56 (Inspector General) and 2-1 56 (Governmental Ethics) of the Municipal Code.
- 7. If the Disclosing Party is unable to certify to any of the above statements in this Part B (Further Certifications), the Disclosing Party must explain below:

# 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

| File #: O2016-7987, Version: 1  |               |  |
|---|---------------|--|
|   |               |  |
| C. CERTIFICATION OF STATUS AS FINANCIAL INSTITUTION                     |               |  |
| 1. The Disclosing Party certifies that the Disclosing Party (check one) |               |  |
| 1. [] is  | s [)<] 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

[X] No

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

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

| File #: O2016-7987                            | , Version: 1  |  |
|---|---|--|
| Does the Matter inv                           | olve a City Property Sale?  |  |
| [] Yes  | [] No   |  |
| ~   | ted "Yes" to Item D.l., provide the nanuch interest and identify the nature of  | nes and business addresses of the City officials or such interest:   |
| Name  | Business Address  | Nature of Interest   |
| City official or emp                          |   | ibited financial interest in the Matter will be acquired by any JSINESS  |
|   | ner 1. or 2. below. If the Disclosing less EDS all information required by para | Party checks 2., the Disclosing Party must disclose below or in agraph 2. Failure to   |
|   | Paş   | ge 8 of 13   |
| comply with these of Matter voidable by       |   | contract entered into with the City in connection with the   |
| and any and all pred<br>policies during the s | lecessor entities regarding records of i  | arty has searched any and all records of the Disclosing Party investments or profits from slavery or slaveholder insurance es issued to slaveholders that provided coverage for damage to y has found no such records. |

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

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

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

#### A. CERTIFICATION REGARDING LOBBYING

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

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

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

Page 9 of 13

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

#### B. CERTIFICATION REGARDING EQUAL EMPLOYMENT OPPORTUNITY

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

Is the Disclosing Party the Applicant?

[]Yes []No If "Yes," answer the three questions below:

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

| File# | : O2016-7987, <b>Version</b> :              | 1  |
|-------|---|--|
| []    | Yes   | [] No  |
| _     | •   | ne Joint Reporting Committee, the Director of the Office of Federal Contract Compliance byment Opportunity Commission all reports due under the applicable filing requirements?  [] No |
|       | Have you participated tunity clause?<br>Yes | in any previous contracts or subcontracts subject to the equal   |
|       |   | ion 1. or 2. above, please provide an explanation:   |
|       |   |  |
|       |   | Page 10 of 13  |

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

The Disclosing Party understands and agrees that:

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

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

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

the public release of information contained in this EDS and also authorizes the City to verify the accuracy of any information submitted in this EDS.

E. The information provided in this EDS must be kept current. In the event of changes, the Disclosing Party must supplement this EDS up to the time the City takes action on the Matter. If the Matter is a contract being handled by the City's Department of Procurement Services, the Disclosing Party must update this EDS as the contract requires. NOTE: With respect to Matters subject to Article 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 2-1 54-020 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 ("EPLS") maintained by the U.S. General Services Administration.
- F.3 If the Disclosing Party is the Applicant, the Disclosing Party will obtain from any contractors/subcontractors hired or to be hired in connection with the Matter certifications equal in form and substance to those in F.1. and F.2. above and will not, without the prior written consent of the City, use any such contractor/subcontractor that does not provide such certifications or that the Disclosing Party has reason to believe has not provided or cannot provide truthful certifications.

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

#### **CERTIFICATION**

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

Marshall Gold Declaration of Trust dated 5/3/2003 (Print or type name of Disclosing Party)

By: Y^X^A^C (Sign here)

Marshall Gold

(Print or type name of person signing)

| Trustee                          |  |
|----------------------------------|--|
|                                  | • • \  |
| (Print or type title of person s | signing)   |
|                                  |  |
| Signed and sworn to before n     | ne on (date)_  |
| at Cnoh County, "ITH             | iArti c. (state).  |
| •                                |  |
| C "OFFICIAL SEAL" 5              |  |
| $\mathbf{J}_{\cdot}$             | ASON WNE8SIM Mot*y PUrto - 8teris ct Mloots My Cofrrnl«*10fi Expire Apr* 22,2018 |

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

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

[] Yes |X] No

File #: O2016-7987, Version: 1

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

| File #: O2016-7987, Version: 1 |  |  |  |
|--------------------------------|--|--|--|
|                                |  |  |  |
|                                |  |  |  |
|                                |  |  |  |
|                                |  |  |  |

#### Page 13 of 13

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

#### BUILDING CODE SCOFFLAW/PROBLEM LANDLORD CERTIFICATION

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

1. Pursuant to Municipal Code Section 2-154-010, is the Applicant or any Owner identified as a building code

| scofflaw or problem | a landlord pursuant to Section 2-92-                                    | 416 of the Municipal Code? | 8 |
|---------------------|---|----------------------------|---|
| [ ]Yes IVJNo        |   |                            |   |
|                     | a legal entity publicly traded on a ing code scofflaw or problem landlo |                            |   |
| [ ]Yes              | [ ]No   | fX ] Not 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.

## CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT

#### SECTION I -- GENERAL INFORMATION

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

| File #: O2016-7987, Version: 1   |
|--|
|  |
| Check ONE of the following three boxes:  |
| Indicate whether the Disclosing Party submitting this EDS is:  1. [] the Applicant OR^  2. legal entity holding a direct or indirect interest in the Applicant. State the legal name of the "^Xpplicant in which the Disclosing Party holds an interest: ^Op Tj/ocfc H EXj*-*C Z-^-C OR  3. [] a legal entity with a right of control (see Section II.B.l.) State the legal name of the entity in which the Disclosing Party holds a right of control: |
| B. Business address of the Disclosing Party: c-/ MSfr- Propecty thi^i^s L-t~(-</td   |
| <ul> <li>C. Telephone: 111 -1 Hi ■ fft&gt;3- Fax: Thi - Hk-tto}</li> <li>D. Name of contact person: rU^euj Al*a&gt;\.;</li> </ul>  |
| E. Federal Employer Identification No. (if you have one): '  |
| F. Brief description of contract, transact ion or other undertaking (referred to below as the "Matter") to which thi EDS pertains. (Include project number and location of property, if applicable):   |
| Class L application for property generally located within the 900 block of West Randolph Street  |
| G. Which City agency or department is requesting this EDS? Department of Planning & Development  |
| If the Matter is a contract being handled by the City's Department of Procurement Services, please complete the following:   |
| Specification # and Contract #   |
| Page 1 of 13   |
| DISCLOSURE OF OWNERSHIP INTERESTS  |
| A. NATURE OF THE DISCLOSING PARTY  |

Indicate the nature of the Disclosing Party: .[] Person b^TLimited liability company

| File #: O2016-7987, Version: 1   |   |
|--|---|
| [ ] Publicly registered business corporation [ ] Privately held business corporation [ ] Sole proprietorship [ ] General partnership [ ] Limited partnership [ ] Trust   | [] Limited liability partnership [] Joint venture [] Not-for-profit corporation (Is the not-for-profit corporation also a 501(c)(3))? [] Yes [] No [] Other (please specify)  |
| 2. For legal entities, the state (or foreign coun  | ntry) of incorporation or organization, if applicable:  |
| 3. For legal entities not organized in the State of Illinois as a foreign entity?  | of Illinois: Has the organization registered to do business in the State  |
| []Yes ^No []N/A  |   |
| B. IF THE DISCLOSING PARTY IS A LEGAL  | ENTITY:   |
| profit corporations, also list below all members, if<br>members." For trusts, estates or other similar entit<br>If the entity is a general partnership, limited par<br>venture, list below the name and title of each gene | executive officers and all directors of the entity. NOTE: For not-for-<br>fany, which are legal entities. Tf there are no such members, write "no<br>fies, list below the legal titleholder(s).<br>Interestip, limited liability company, limited liability partnership or joint<br>for all partner, managing member, manager or any other person or entity<br>isclosing Party. NOTE: Each legal entity listed below must submit an |
| Name Title   |   |
|  | oncerning each person or entity having a direct or indirect beneficial f the Disclosing Party. Examples of such an interest include shares in a r 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

c/o MSfr- fhr\*C+Y uc

(fO |Mor4u Ste-fW/W\* »ft J/e

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

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

[]Yes y^No

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

&JA

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

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

Page 3 of 13

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

| File #: O2016-7987, Version   | n: 1   |  |   |
|---|--|--|---|
| retained or anticipated to be retained)  ^ r\)f)v\e-  | Address  | (subcontractor, attorney, lobbyist, etc.)  | paid or estimated.) NOTE:  "hourly rate" or "t.b.d." is  not an acceptable response.  |
|   |  |  |   |
| (Add sheets if necessary)   |  |  |   |
| "Check here if the Di   | sclosing Part  | y has not retained, nor expects  | to retain, any such persons or entities   |
| SECTION V CERTIFIC  | CATIONS  |  |   |
| A. COURT-ORDERED CH   | HILD SUPPOR  | T COMPLIANCE   |   |
| *   |  | 15, substantial owners of business enort obligations throughout the cont   | ntities that contract with the City must ract's term.   |
| • •   | •  | owns 10% or more of the Disclosing ourt of competent jurisdiction?   | g Party been declared in arrearage on any   |
| [] Yes 1(1 I<br>Disclosing Part   | = =  | No person directly or indirectly own   | ns 10% or more of the   |
| If "Yes," has the person entocompliance with that agreer                                      |  | rt-approved agreement for payment  | of all support owed and is the person in  |
| []Yes []N   | lo   |  |   |
| B. FURTHER CERTIFICA  | TIONS  |  |   |
| terms (e.g., "doing business'<br>doing business with the City<br>person is currently indicted | ') and legal recover, then the Discover charged with | uirements), if the Disclosing Party closing Party certifies as follows: (i) h, or has admitted guilt of, or has ev | the Applicant should consult for defined submitting this EDS is the Applicant and is neither the Applicant nor any controlling wer been convicted of, or placed under y to commit bribery, theft, fraud, forgery, |

Page 4 of 13

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

Page 5 of 13

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").

 $\wedge J_{0k}$  :

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.

### Now

#### 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 2-32-455(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

| File #: O2016-7987   | , Version: 1   |  |
|--|--|--|
| used in this Part D  |  |  |
|  |  | cipal Code: Does any official or employee of the City have a any other person or entity in the Matter?   |
| NOTE: If you che Part E.   | cked "Yes" to Item D.l., proceed to Item   | ns D.2. and D.3. If you checked "No" to Item D.1., proceed to  |
| employee shall hav<br>purchase of any pro-<br>legal process at the | re a financial interest in his or her own no<br>operty that (i) belongs to the City, or (ii)<br>suit of the City (collectively, "City Prop | dding, or otherwise permitted, no City elected official or ame or in the name of any other person or entity in the is sold for taxes or assessments, or (iii) is sold by virtue of perty Sale"). Compensation for property taken pursuant to the l interest within the meaning of this Part D. |
| Does the Matter in   | volve a City Property Sale?  |  |
| [] Yes   | [ ] No   |  |
|  | ked "Yes" to Item D.l., provide the nam<br>such interest and identify the nature of st   | es and business addresses of the City officials or uch interest:   |
| Name   | Business Address   | Nature of Interest   |
|  | -  | bited financial interest in the Matter will be acquired by any   |
| City official or emp   | oloyee.<br>ON REGARDING SLAVERY ERA BU:  | SINESS   |
| L. CLITTICATIC   | AT RESTRUCTION SERVERT LIKE DU   | JII (EDD   |

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

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.

| File #: C | 2016-7987, | Versi | ion: | 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.l. above for his or her lobbying activities or to pay any person or entity to influence or attempt to influence an officer or employee of any agency, as defined by applicable federal law, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress, in connection with the award of any federally funded contract, making any federally funded grant or loan, entering into any cooperative agreement, or to extend, continue, renew, amend, or modify any federally funded contract, grant, loan, or cooperative agreement.

Page 9 of 13

- 3. The Disclosing Party will submit an updated certification at the end of each calendar quarter.in which there occurs any event that materially affects the accuracy of the statements and information set forth in paragraphs A.l. and A.2. above.
- 4. The Disclosing Party certifies that either: (i) it is not an organization described in section 501(c)(4) of the Internal Revenue Code of 1986; or (ii) it is an organization described in section 501(c)(4) of the Internal Revenue Code of 1986 but has not engaged and will not engage in "Lobbying Activities".

| File #: O2016-7987                          | , Version: 1   |
|---|--|
| 5. If the Discl                             | losing Party is the Applicant, the Disclosing Party must obtain certifications equal in form and   |
| substance to paragram<br>Disclosing Party m | raphs A.l. through A.4. above from all subcontractors before it awards any subcontract and the sust maintain all such subcontractors' certifications for the duration of the Matter and must make such |
| certifications prom                         | ptly available to the City upon request.   |
| B. CERTIFICATIO                             | ON REGARDING EQUAL EMPLOYMENT OPPORTUNITY  |
|   | erally funded, federal regulations require the Applicant and all proposed subcontractors to submit mation with their bids or in writing at the outset of negotiations.                                 |
| Is the Disclosing Pa                        | arty the Applicant?  |
| [] Yes                                      | [ ] No   |
| If "Yes," answer th                         | e three questions below:   |
| regulations? (See 4)                        |  |
| t]Yes                                       | [ ] No   |
| •   | iled with the Joint Reporting Committee, the Director of the Office of Federal Contract Compliance qual Employment Opportunity Commission all reports due under the applicable filing requirements?    |
| [] Yes                                      | [ ] No   |
| 3. Have you popportunity clause?            | articipated in any previous contracts or subcontracts subject to the equal   |
| [] Yes                                      | [ ] No   |
| if you checked "No                          | " to question 1. or 2. above, please provide an explanation:   |
|   |  |
|   | Page 10 of 13  |
|   | 1 450 10 01 13   |

The Disclosing Party understands and agrees that:

COMPLIANCE, PENALTIES, DISCLOSURE

**SECTIONJVII** 

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

ACKNOWLEDGMENTS,

**CONTRACT** 

INCORPORATION,.

which this EDS is based.

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

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

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

The Disclosing Party represents and warrants that:

#### Page 11 of 13

- F.l. The Disclosing Party is not delinquent in the payment of any tax administered by the Illinois Department of Revenue, nor are the Disclosing Party or its Affiliated Entities delinquent in paying any fine, fee, tax or other charge owed to the City. This includes, but is not limited to, all water charges, sewer charges, license fees, parking tickets, property taxes or sales taxes.
- F.2 If the Disclosing Party is the Applicant, the Disclosing Party and its Affiliated Entities will not use, nor permit their subcontractors to use, any facility listed by the U.S. E.P.A. on the federal Excluded Parties List System ("EPLS") maintained by the U.S. General Services Administration.
- F.3 If the Disclosing Party is the Applicant, the Disclosing Party will obtain from any contractors/subcontractors hired

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

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

#### CERTIFICATION

Under penalty of perjury, the person signing below: (1) 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.

MSK Fulton Market Phase I, LLC

Matthew Means

(Print or type name of person signing) Manager (Print or type title of person signing) at C-COfc-(state).

Signed and sworn to before me on (date) |p|ij r}0\ (& County, X H I AO IS

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 H.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 Parry 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 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?
[] No

| File | #: | O2016 | -7987 | Version: | 1 |
|------|----|-------|-------|----------|---|
|      |    |       |       |          |   |

[]Yes

3. If yes to (1) or (2) above, please identify below the name of the person or legal entity identified as a building code scofflaw or problem landlord and the address of the building or buildings to which the pertinent code violations apply.

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

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

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

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

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

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

Applicant ptR

- 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: ^OO "R/ock T QwkiC L^C OR
- 3. f] a legal entity with a right of control (see Section II.B.I.) State the legal name of the entity in which the Disclosing Party holds a right of control:
- B. Business address of the Disclosing Party: c/O MSK-^rtofter-fy ffo^^jj L<-£-I gO A>t>r-rU f4eixc~ 4ver\\*e

$$IgO A>t>r-rU \pounds 4ejxc\sim. 4ver\*e \_u «'*e. YS*c>$$

"

 $C\text{-}\ U\ r_t\ll\_\ a$  ,  $T\sim$  <-  $606.\ o\ I$ 

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

| File #: O2016-7987, Version: 1   |
|--|
|  |
| G. Which City agency or department is requesting this EDS?^W³ar''rv*^f ^t^~~^£W(gp^'   |
| 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 O   |
| THE DISCLOSING PARTY   |
| 1. Indicate the nature of the Disclosing P [ ] Person [ ] Publicly registered business corporation [ ] Privately held business corporation [ ] Sole proprietorship [ ] General partnership [ ] Limited partnership [] Trust  |
| y Limited liability company [] Limited liability partnership [] Joint venture [] Not-for-profit corporation (Is the not-for-profit corporation also a 501(c)(3))?  [] Yes  [] Not-for-profit corporation (Is the not-for-profit corporation) (Is the not-for-profit corporation)?  [] Other (please specify) |
| 2. For legal entities, the state (or foreign country) of incorporation or organization, if applicable:   |
| 3. For legal entities not organized in the State of Illinois: Has the organization registered to do business in th State of Illinois as a foreign entity?  |
| []N/A  |
| B. IF THE DISCLOSING PARTY IS A LEGAL ENTITY:  |
|  |

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

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

| File #: O2016-7987, Version: 1 |                                     |                  |   |  |
|--------------------------------|-------------------------------------|------------------|---|--|
| EDS on its own behalf.         |                                     |                  |   |  |
| Name                           |                                     |                  |   |  |
|                                |                                     |                  | ATT.  |  |
|                                |                                     |                  | <\.K.<«.  |  |
|                                |                                     |                  |   |  |
| •                              | ship) in excess of                  | 7.5% of the D    | ing each person or entity having a direct or indirect beneficial Disclosing Party. Examples of such an interest include shares in a venture,                                      |  |
|                                |                                     | Page             | 2 of 13   |  |
| similar entity. If none, st    | ate "None." NOT<br>City may require | E: Pursuant to   | ompany, or interest of a beneficiary of a trust, estate or other of Section 2-154-030 of the Municipal Code of Chicago itional information from any applicant which is reasonably |  |
| Name                           | Business A                          |                  | Percentage Interest in the  |  |
| /"viAy-w ntm »                 | CUft»j".                            | c/o WSK<br>6oiol | Pr*£\Disclosing Party /«•> ^  |  |
| •                              | <b>,</b>                            | c/o tW-r′        | `Jinxv^tiJ^ Finnic ~  |  |
|                                |                                     |                  | _   |  |
| SECTION III BUSINI             | ESS RELATIONS                       | SHIPS WITH       | CITY ELECTED OFFICIALS  |  |
| Has the Disclosing Pa          | •                                   |                  | p," as defined in Chapter 2-156 of the Municipal Code, with any s EDS is signed? .  |  |

[]Yes

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

dm

#### 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 requited under this Section, the Disclosing Party must either ask the City whether disclosure is required or make the disclosure.

#### Page 3 of 13

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

(Add sheets if necessary)

£f>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?

| ſ | ٦ | Y | es |
|---|---|---|----|
|   |   |   |    |

| File #: O2016-7987, Version: 1  |  |  |  |  |  |
|---|--|--|--|--|--|
|   | [ ] 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 CEI  | 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 1 supersedes some fiveyear compliance timeframes in certifications 2 and 3 below.

#### Page 4 of 13

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

| File # | #: O | 2016- | 7987. <b>\</b> | Version: | 1 |
|--------|------|-------|----------------|----------|---|
|--------|------|-------|----------------|----------|---|

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-monthi 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")-

A/py\g

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.

### pJo^e

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

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

^isnot

- 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

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

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

Does the Matter involve a City Property Sale?

| File #: O2016-7987,                         | Version: 1  |   |
|---|---|---|
| [] Yes                                      | [ ] No  |   |
| •   | ted "Yes" to Item D.l., provide the na<br>uch interest and identify the nature of | mes and business addresses of the City officials or Such interest:  |
| Name  | Business Address  | Nature of Interest  |
|   |   |   |
| 4. The Disclosin City official or empl      |   | hibited financial interest in the Matter will be acquired by any  |
| E. CERTIFICATIO                             | N REGARDING SLAVERY ERA B   | USINESS   |
|   | ner 1. or 2. below. If the Disclosing s EDS all information required by particles | Party checks 2., the Disclosing Party must disclose below or in ragraph 2. Failure to   |
|   | Pa  | ge 8 of 13  |
| comply with thes<br>with the Matter voi     | -   | ake any contract entered into with the City in connection   |
| and any and all prec<br>policies during the | decessor entities regarding records of  | g Party has searched any and all records of the Disclosing Party investments or profits from slavery or slaveholder insurance cies issued to slaveholders that provided coverage for damage to rty has found no such records. |
| Disclosing Party ha<br>Disclosing Party ve  | s found records of investments or pro   | conducting the search in step 1 above, the offits from slavery or slaveholder insurance policies. The all disclosure of all such records, including the names of any and  |
|   |   |   |

#### SECTION VI CERTIFICATIONS FOR FEDERALLY FUNDED MATTERS

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

#### A. CERTIFICATION REGARDING LOBBYING

| File #: O2016-7987, Version: 1   |
|--|
| 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.l. and A.2. above.  |
| 4. The Disclosing Party certifies that either: (i) it is not an organization described in section 501(c)(4) of the Internal Revenue Code of 1986; or (ii) it is an organization described in section 501(c)(4) of the Internal Revenue Code of 1986 but has not engaged and will not engage in "Lobbying Activities".  |
| 5. If the Disclosing Party is the Applicant, the Disclosing Party must obtain certifications equal in form and substance to paragraphs A.l. through A.4. above from all subcontractors before it awards any subcontract and the Disclosing Party must maintain all such subcontractors' certifications for the duration of the Matter and must make such certifications promptly available to the City upon request.   |
| B. CERTIFICATION REGARDING EQUAL EMPLOYMENT OPPORTUNITY  |
| If the Matter is federally funded, federal regulations require the Applicant and all proposed subcontractors to submit the following information with their bids or in writing at the outset of negotiations.  |
| Is the Disclosing Party the Applicant?   |

Office of the City Clerk Page 101 of 161 Printed on 4/25/2024

| ] Yes

[] No

If "Yes," answer the three questions below:

| regul    | Have you developed ations? (See 41 CFR Par Yes          | •                      | n file affirmative  | action programs      | pursuant to | applicable | federal |
|----------|---|------------------------|---------------------|----------------------|-------------|------------|---------|
| _        | Have you filed with the ams, or the Equal Employes []No |                        |                     |                      |             | •          |         |
| 3. oppor | Have you participated tunity clause?                    | in any previous contra | acts or subcontract | s subject to the equ | ıal         |            |         |
| ]        | Yes   | [ ] No                 |                     |                      |             |            |         |

Page 10 of 13

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

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

The Disclosing Party understands and agrees that:

File #: O2016-7987, Version: 1

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

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

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

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

The Disclosing Party represents and warrants that:

#### Page 11 of 13

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

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

#### **CERTIFICATION**

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

BKM2 Acquisition Fund LLC (Print or type name of Disclosing Party)

File #: O2016-7987, Version: 1

By:
(Sign here)

Matthew Means
(Print or type name of person signing)

Manager (Print or type title of person signing) at

Signed and sworn to before me on (date) I li j Co P-Qoic County, XlilrToh (state).

Commission expires: |^C'14

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

| File #: O2016-7987, Version: 1                                     |                               |  |
|--|-------------------------------|--|
| ——————————————————————————————————————                             |                               |  |
| Does the Disclosing Party or a "familial relationship" with an ele |                               | ny Spouse or Domestic Partner thereof currently have a ment head?  |
| []Yes  |                               |  |
|  | and title of the elected city | h person, (2) the name of the legal entity to which such official or department head to whom such person has a ial relationship. |
|  |                               |  |
|  |                               |  |
|  |                               |  |
|  | Page 13 o                     | of 13  |
| CI   |                               | NOMIC DISCLOSURE STATEMENT AND<br>AFFIDAVIT<br>NDIX B  |
| BUILDING CODE SCO  | FFLAW/PROBLEM LAI             | NDLORD CERTIFICATION   |
|  | cant exceeding 7.5 percent    | Applicant, and (b) any legal entity which has a direct t (an "Owner"). It is not to be completed by any legal to Applicant.      |
|  |                               | Applicant or any Owner identified as a building code 2-416 of the Municipal Code?  |
| [ JYes   |                               |  |
|  |                               | n any exchange, is any officer or director of the Applicant dlord pursuant to Section 2-92-416 of the Municipal Code?            |
| [] Yes   | [ ] No                        | L^Not Applicable   |
|  | de scofflaw or problem lar    | ne of the person or legal entity<br>ndlord and the address of the building or buildings lo which                                 |

### FILLING OUT THIS APPENDIX B CONSTITUTES ACKNOWLEDGMENT AND AGREEMENT

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

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

| File #: O2016-7987, Version: 1  |   |  |
|---|---|--|
| Page 1 of 13  |   |  |
| SECTION II DISCLOSURE   | OF OWNERSHIP INTEREST   | s  |
| A. NATURE OF THE DISCLOS  | NG PARTY  |  |
| 1. Indicate the nature of the [] Person [] Publicly registered business corpor [] Privately held business corpor [] Sole proprietorship [] General partnership [] L mited partnership  ■^"Trust  2. For legal entities, the state | [ ] Limited  [ ] Limited  [ ] Joint ver  [ ] Not-for-j  (Is the not-fo  [ ] Yes [ ] N  [ ] Other (p   | profit corporation also a 501(c)(3))?  |
| iinois  |   |  |
| 3. For legal entities not organ of Illinois as a foreign entity?  | zed in the State of Illinois: Has the   | he organization registered to do business in the State   |
| []Yes []]   | Jo J^tf/A   |  |
| B. IF THE DISCLOSING PART   | IS A LEGAL ENTITY:  |  |
| profit corporations, also list below<br>members." For trusts, estates or of<br>If the entity is a general partner<br>venture, list below the name and t<br>that controls the day-to-day manage<br>EDS on its own behalf.          | all members, if any, which are lear similar entities, list below the ship, limited partnership, limited the of each general partner, manage | and all directors of the entity. NOTE: For not-for-<br>gal entities. If there are no such members, write "no<br>legal titleholder(s).<br>liability company, limited liability partnership or joint<br>ging member, manager or any other person or entity<br>OTE: Each legal entity listed below must submit an |
| Name Title  |   |  |
|   |   |  |

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  $Rl\text{-}WV\text{-}rw\text{-}kU \qquad -7\text{-}7 \& if Uj^{\wedge}w^{*\wedge}i > \qquad fOO^{\wedge}$ 

#### 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 J&go

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

dA

## 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

| File #: O2016-7987, Version: 1  |                  |  |   |  |  |  |
|---|------------------|--|---|--|--|--|
| must either ask the City  | y whether disclo | osure is required or make the disclos                                      | sure.   |  |  |  |
|   |                  |  |   |  |  |  |
|   |                  | Page 3 of 13   |   |  |  |  |
| Name (indicate wheth retained or anticipated to be retained)  //lOr\? |                  | 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 necessa  | ry)              |  |   |  |  |  |
| k_rCheck here if the D  | Disclosing Party | has not retained, nor expects to retain                                    | ain, any such persons or entities. SECTION V  |  |  |  |
| CERTIFICATIONS  |                  |  |   |  |  |  |
| A. COURT-ORDERE   | ED CFIILD SU     | PPORT COMPLIANCE   |   |  |  |  |
| •   |                  | 92-415, substantial owners of busine support obligations throughout the    | ess entities that contract with the City must contract's term.  |  |  |  |
| • •   | •                | ectly owns 10% or more of the Disclosis court of competent jurisdiction?   | osing Party been declared in arrearage on any   |  |  |  |
| [] Yes  | ^_>No            | [ ] No person directly or indirectly Disclosing Party.                     | owns 10% or more of the   |  |  |  |
| If "Yes," has the person compliance with that a                       |                  | court-approved agreement for payn  | nent of all support owed and is the person in   |  |  |  |
| []Yes   | [ ] No           |  |   |  |  |  |
| B. FURTHER CERT   | IFICATIONS       |  |   |  |  |  |
| 1. Pursuant to Mu   | nicipal Code Cl  | hapter 1-23, Article I ("Article I")(w                                     | hich the Applicant should consult for defined   |  |  |  |

Office of the City Clerk Page 109 of 161 Printed on 4/25/2024

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.

#### Page4/of 13

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

# /V^e

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

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

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

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

| File #: O2016-7987, <b>V</b>  | ersion: 1  |  |
|---|--|--|
| of a predatory lender   | may result in the loss of the priv   | ilege of doing business with the City."  |
| 32-455(b) of the Mu   |  | recause it or any of its affiliates (as defined in Section 2-<br>er within the meaning of Chapter 2-32 of the Municipal<br>ry):  |
|   | Page 7   | of 13  |
|   | ne word "None," or no response appears closing Party certified to the above  | ars on the lines above, it will be conclusively statements.  |
| D. CERTIFICATION  | NREGARDING INTEREST IN CIT   | Y BUSINESS   |
| Any words or terms t used in this Part D.                                 | hat are defined in Chapter 2-156 of t  | he Municipal Code have the same meanings when  |
|   |  | cipal Code: Does any official or employee of the City have a any other person or entity in the Matter?   |
| NOTE: If you checked Part E.  | ed "Yes" to Item D. 1., proceed to Ite   | ems D.2. and D.3. If you checked "No" to Item D.1., proceed to   |
| employee shall have a<br>purchase of any prope<br>legal process at the su | financial interest in his or her own norty that (i) belongs to the City, or (ii) it of the City (collectively, "City Pro | idding, or otherwise permitted, no City elected official or name or in the name of any other person or entity in the is sold for taxes or assessments, or (iii) is sold by virtue of perty Sale"). Compensation for property taken pursuant to the all interest within the meaning of this Part D. |
| Does the Matter invol   | ve a City Property Sale?   |  |
| [] Yes  | [ ] No   |  |
| · · · · · · · · · · · · · · · · · · ·                                     | d "Yes" to Item D.l., provide the name<br>h interest and identify the nature of s  | nes and business addresses of the Cily officials or such 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 cither 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.

- . 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

| File #: O2016-7987,   | Version: 1  |
|---|---|
| to influence an office<br>or employee of Cong<br>contract, making any | raph A.l. above for his or her lobbying activities or to pay any person or entity to influence or attempt er or employee of any agency, as defined by applicable federal law, a member of Congress, an officer gress, or an employee of a member of Congress, in connection with the award of any federally funded rederally funded grant or loan, entering into any cooperative agreement, or to extend, continue, odify any federally funded contract, grant, loan, or cooperative agreement.  Page 9 of 13 |
|   | ng Party will submit an updated certification at the end of each calendar quarter in which there at materially affects the accuracy of the statements and information set forth in paragraphs A.l. and  |
| Revenue Code of 19  | ing Party certifies that either: (i) it is not an organization described in section 501(c)(4) of the Internal 986; or (ii) it is an organization described in section 501(c)(4) of the Internal Revenue Code of 1986 and will not engage in "Lobbying Activities".  |
| substance to paragra<br>Disclosing Party mu                           | osing Party is the Applicant, the Disclosing Party must obtain certifications equal in form and aphs A.l. through A.4. above from all subcontractors before it awards any subcontract and the ast maintain all such subcontractors' certifications for the duration of the Matter and must make such atly available to the City upon request.   |
| B. CERTIFICATIO   | N REGARDING EQUAL EMPLOYMENT OPPORTUNITY  |
|   | rally funded, federal regulations require the Applicant and all proposed subcontractors to submit nation with their bids or in writing at the outset of negotiations.   |
| Is the Disclosing Par   | rty the Applicant?  |
| [] Yes  | [ ] No  |
| If "Yes," answer the  | three questions below:  |
| 1. Have you de regulations? (See 41                                   | eveloped and do you have on file affirmative action programs pursuant to applicable federal CFR Part 60-2.)  [] No  |
| •   | ed with the Joint Reporting Committee, the Director of the Office of Federal Contract Compliance all Employment Opportunity Commission all reports due under the applicable filing requirements?  [] No   |
| 3. Have you pa opportunity clause?                                    | rticipated in any previous contracts or subcontracts subject to the equal   |

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

[]Yes []No

Page 10 of 13

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

The Disclosing Party understands and agrees that:

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

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

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

as required by Chapter 1-23 and Section 2-154-020 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.L, F.2. or F.3. above, an explanatory statement must be attached to this EDS.

#### **CERTIFICATION**

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

Beth L. Kronfeld Revocable Trust (Print or type name of Disclosing Party)

Beth L Kronfeld (Print or type name of person signing)

Trustee (Print or type title of person signing)

at
Signed and sworn to before me on (date) \_ J j \_
County, "XllinOtS

Commission expires: i oj 16? j'.}'l}[h

Official Seal Judy Ann Benton Notary Public State of Illinois 1 My Commission Expires 10/16/2016

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

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

[]Yes

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

# 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 lias 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 |
|----|--------|-------------|--------|--------|----------|-----------|---------|-----|------|------------|--------|------------|----|----------|--------|
|    | Appli  | cant identi | fied a | s a bu | ilding o | code scof | flaw or | pro | blem | landlord p | ursuan | t to Secti | on | 2-92-416 | of the |
|    | Muni   | cipal Code' | ?      |        |          |           |         |     |      |            |        |            |    |          |        |

[]Yes []No £>jflot 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.

| File #: | O2016-7987, Vers | sion: | 1 |
|---------|------------------|-------|---|
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# CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT

Email:

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

A. Legal name of the Disclosing Party submitting this EDS. Include d/b/a/ if applicable: 900 Block I Tucker Select LLC

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

| Indicate | whether | the I | Disclo | sing | <b>Party</b> | submitting | this | <b>EDS</b> | 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

C. Telephone: (847) 748-3880

- 3. [X] 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: 900 Block 1 Tucker JV LLC
- B. Business address of the Disclosing Party: 799 Central Avenue, Suite 300
   Highland Park, IL 60035

Fax:

D. Name of contact person: Aaron M. Tucker

- E. Federal Employer Identification No. (if you have one): N/A
- 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):

Class L application for property generally located within the 900 block of West Randolph Street

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

| File #: O2016-7987, Versi  | ion: 1                    |  |
|--|---------------------------|--|
| If the Matter is a confollowing:   | tract being handled by    | the City's Department of Procurement Services, please complete the         |
| Specification #  |                           | and Contract #   |
| Page 1 of 13   |                           |  |
| SECTION II - DISCLO  | SURE OF OWNERS            | IIP INTERESTS  |
| A. NATURE OF THE DI  | SCLOSING PARTY            |  |
| Person Publicly registered busine Privately held business co Sole proprietorship General partnership Limited partnership Trust P_ Limited liability compa [] Limited liability partne [] Joint venture [] Not-for-profit corporat (Is the not-for-profit corporat [] Yes [] Other (please specify) | rporation  any rship ion  | ?  |
| 2. For legal entities, th  | e state (or foreign count | ry) of incorporation or organization, if applicable: Illinois              |
| 3. For legal entities no of Illinois as a foreign ent  | -                         | e of Illinois: Has the organization registered to do business in the State |
| [ ] Yes  | [] No                     | $P_N/A$  |
| B. IF THE DISCLOSING   | PARTY IS A LEGAL          | ENTITY:  |

#### В

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

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

Name Title 900 Block I Tucker GP Member LLC - Manager

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

Page 2 of 13

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

Name Business Address Percentage Interest in the Disclosing Party

Richard H. Tucker Revocable Trust u/a/d 7/28/2006 799 Central Avenue, Suite 300 Highland Park, IL 60035 ■ 41.4% Aaron M. Tucker Revocable Trust u/a/d 1/28/2015 - 799 Central Avenue, Suite 300 Highland Park, IL 60035 14.1% Tucker Family Holdings Trust u/a/d 1/28/2005 - 799 Central Avenue, Suite 300 Highland Park, IL 60035 15% \* Remaining 29.5% held by parties holding less than 7.5% ownership interest

#### 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 P 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

| File #: O2016-7987, V                           | ersion: 1                           |  |   |
|---|-------------------------------------|--|---|
| regular payroll.                                |                                     |  |   |
| of any person or entity                         | other than: (1)<br>ny part of whose | a not-for-profit entity, on an unpaid ba                                   | egislative or administrative action on behalf asis, or (2) himself. "Lobbyist" also means udes undertaking to influence any legislative |
|   | •                                   | whether a disclosure is required under is required or make the disclosure. | this Section, the Disclosing Party must   |
|   |                                     | Page 3 of 13   |   |
| Name (indicate whet                             | her Business                        | Relationship to Disclosing Party   | Fees (indicate whether  |
| retained or anticipate to be retained)          | ed Address                          | (subcontractor, attorney, lobbyist, etc.)                                  | <pre>paid or estimated.) NOTE: "hourly rate" or "t.b.d." is     not an acceptable response.</pre>                                       |
| (Add sheets if necessa                          | ury)                                |  |   |
| `   | • /                                 | Party has not retained, nor expect   | ts to retain, any such persons or entities.   |
| SECTION V - CERT                                |                                     | -  | so to return, any such persons or entities.   |
|   |                                     | PPORT COMPLIANCE   |   |
| Under Municipal C                               | Code Section 2-9                    |  | entities that contract with the City must ntract's term.  |
| * *   | •                                   | ectly owns 10% or more of the Disclosions court of competent jurisdiction? | ing Party been declared in arrearage on any   |
| [JYes   | [X] No                              | [] No person directly or indirectly ow<br>Disclosing Party.                | ns 10% or more of the   |
| If "Yes," has the person compliance with that a |                                     | a court-approved agreement for paymen                                      | nt of all support owed and is the person in   |
| []Yes   | []No -                              |  |   |
|   |                                     |  |   |

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

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

#### Page 4 of 13

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

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

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

# Page 5 of 13

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

- a. bribed or attempted to bribe, or been convicted or adjudged guilty of bribery or attempting to bribe, a public officer or employee of the City, the State of Illinois, or any agency of the federal government or of any state or local government in the United States of America, in that officer's or employee's official capacity;
- b. agreed or colluded with 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 Universified List, the Entity List and the Debarred List.
- 6. The Disclosing Party understands and shall comply with the applicable requirements of Chapters 2-55 (Legislative Inspector General), 2-56 (Inspector General) and 2-156 (Governmental Ethics) of the Municipal Code.

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

# Page 6 of 13

If the letters "NA," the word "None," or no response appears on the lines above, it will be conclusively -presumed 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 D\_ is not

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

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

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

| File #: O2016-7987 | Version: 1 |
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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 ft No

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

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

Does the Matter involve a City Property Sale?

[]Yes []No

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

Name Business Address Nature of Interest

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

#### E. CERTIFICATION REGARDING SLAVERY ERA BUSINESS

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

Page 8 of 13

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

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

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

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

#### A. CERTIFICATION REGARDING LOBBYING

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

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

2. The Disclosing Party has not spent and will not expend any federally appropriated funds to pay any person or entity listed in Paragraph A.l. above for his or her lobbying activities or to pay any person or entity to influence or attempt to influence an officer or employee of any agency, as defined by applicable federal law, a member of Congress, an officer

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or employee of Congress, or an employee of a member of Congress, in connection with the award of any federally funded contract, making any federally funded grant or loan, entering into any cooperative agreement, or to extend, continue, renew, amend, or modify any federally funded contract, grant, loan, or cooperative agreement.

Page 9 of 13

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

#### B. CERTIFICATION REGARDING EQUAL EMPLOYMENT OPPORTUNITY

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

| is the Disclosing Par | ty the Applicant? |
|-----------------------|-------------------|
| [] Yes                | [ ] No            |

If "Yes," answer the three questions below:

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

[]Yes []No

- 2. Have you filed with the Joint Reporting Committee, the Director of the Office of Federal Contract Compliance Programs, or the Equal Employment Opportunity Commission all reports due under the applicable filing requirements? [JYes []No
- 3. Have you participated in any previous contracts or subcontracts subject to the equal opportunity clause?

[]Yes []No

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

#### Page 10 of 13

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

The Disclosing Party understands and agrees that:

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

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

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

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

The Disclosing Party represents and warrants that:

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

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

#### CERTIFICATION

Under penalty of perjury, the person signing below: (1) 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) arc true, accurate and complete as of the date furnished to the City.

900 Block I Tucker Select LLC
(Print or type name of Disclosing P^irty)

By: '/\_\_.

(Sign here) Richard H. Tucker

By: 900 Block I Tucker GP Member LLC, its Manager By: Tucker Development Corporation, its Manager (Print or type name of person signing)

President and Chief Executive Officer \_ (Print or type title of person signing)

 $\label{eq:continuous} \begin{array}{ll} Signed\ anc L-svvfjrn\ to\ before\ me\ on\ (date)\ L/i^ofy\\ .\ /'-?,\ /-<n\ fc\\ at\ .\ .\}M:Ci/\ ..\ I \qquad Couirfy,\ ',\ U.\ iUVS \qquad (state). \end{array}$ 

Notary Public.

"OFFICIAL SEAL" JOANNE M.DEC, Notary Pubte, State of Ifflnofs \ My Ctornrrfcston Expires 0025/19

4-

Commission expires: "/Z^/,

Page 12 of 13

# CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT APPENDIX A

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

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

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

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

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

[] Yes pC] 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

|    |   | only by (a) the Applica | nt, and (b) any legal entity which has a direct<br>Owner"). It is not to be completed by any legal      |
|----|---|-------------------------|---|
| 1. | Pursuant to Municipal Code Section scofflaw or problem landlord pursua  |                         | cant or any Owner identified as a building code of the Municipal Code?                                  |
|    | [ ]Yes k]No   |                         |   |
| 2. |   | -                       | xchange, is any officer or director of the Applicant ursuant to Section 2-92-416 of the Municipal Code? |
|    | []Yes   | [ ]No                   | fX ] Not Applicable   |
| 3. | If yes to (1) or (2) above, please identified as a building code scoffla the pertinent code violations apply. | •                       | ne person or legal entity<br>and the address of the building or buildings to which                      |

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

# 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: 900 Block  |
| Tucker GP Member LLC  |
| Check ONE of the following three boxes:   |
| Indicate whether the Disclosing Party submitting this EDS is:  1. [] the Applicant OR   |
| <ul><li>2. [] a legal entity holding a direct or indirect interest in the Applicant. State the legal name of the</li><li>2. Applicant in which the Disclosing Party holds an interest:</li><li>OR</li></ul> |
| 3. K] a legal entity with a right of control (see Section II.B.l.) State the legal name of the entity in which the Disclosing Party holds a right of control: 900 Block I Tucker GP LLC                     |
| B. Business address of the Disclosing Party: 799 Central Avenue,, Suite 300   |
| Highland Park, IL 60035   |
| C. Telephone: (847) 748-3880 Fax: Email:  |
| D. Name of contact person: Aaron M. Tucker  |
| E. Federal Employer Identification No. (if you have one): N/A   |
| F. Brief description of contract, transaction or other undertaking (referred to below as the "Matter") to which this ED pertains. (Include project number and location of property, if applicable):         |
| Class L application for property generally located within the 900 block of West Randolph Street   |
| 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 ft .   |
|   |

Page 1 of 13

| File #: O2016-7987, Versi   | on: 1   |  |  |
|---|---|--|--|
| SECTION II DISCLO   | SURE OF OWNERS  | SHIP INTERESTS   |  |
| A. NATURI<br>Person<br>Publicly registered bus<br>Privately held business<br>Sole proprietorship<br>General partnership<br>Limited partnership<br>Trust | siness corporation  | NG PARTY 1. Indicate the n  X  [] [] [] (Is  | ature of the Disclosing Party:   |
| Limited liability company<br>Not-for-profit corporation<br>the not-for-profit corporati<br>[]Yes '[]No Other (p   | ion also a 501(c)(3))?  | ership Joint venture   |  |
| 2. For legal entities, the  | e state (or foreign coun  | try) of incorporation or organization  | zation, if applicable: Illinois  |
| 3. For legal entities no State of Illinois as a foreig  | -   | e of Illinois: Has the organizat   | ion registered to do business in the   |
| [] Yes  | [] No   | D_ N/A   |  |
| B. IF THE DISCLOSING  | PARTY IS A LEGAL  | ENTITY:  |  |
| profit corporations, also list<br>members." For trusts, esta<br>If the entity is a general<br>venture, list below the name                              | st below all members,<br>tes or other similar ent<br>I partnership, limited p<br>ne and title of each ger | if any, which are legal entities. ities, list below the legal titleho artnership, limited liability corneral partner, managing membe | tors of the entity. NOTE: For not-for-<br>If there are no such members, write "no<br>older(s).<br>mpany, limited liability partnership or joint<br>or, manager or any other person or entity<br>legal entity listed below must submit an |
| Name Title  |   |  |  |

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

Manager

**Tucker Development Corporation** 

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

Richard H. Tucker Revocable Trust u/a/d 7/28/2006 37.5%

799 Central Avenue, Suite 300 Highland Park, IL 60035

Cary S. Glenner Revocable Trust u/a/d/ 4/5/1985 799 Central Avenue, Suite 300 Highland Park, IL 60035 25%

Tucker Family Holdings Trust u/a/d 6/6/2005 799 Central Avenue, Suite 300 Highland Park, IL 60035 37.5%

#### 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 f No

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

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

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

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

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

| File #: O2016-7987, Ver                          | rsion: 1       |  |  |
|--|----------------|--|--|
|  |                |  |  |
|  |                | Page 3 of 13   |  |
| Name (indicate whethe                            | er Business    | Relationship to Disclosing Party   | Fees (indicate whether   |
| retained or anticipated to be retained)          |                | (subcontractor, attorney, lobbyist, etc.)                                  | paid or estimated.) NOTE: "hourly rate" or "t.b.d." is not an acceptable response. |
|  |                |  |  |
| (Add sheets if necessary                         | y)             |  |  |
| fXJ Check here if the                            | e Disclosing P | arty has not retained, nor expec   | ts to retain, any such persons or entities   |
| SECTION V CERTI                                  | IFICATIONS     |  |  |
| A. COURT-ORDERED                                 | CHILD SUPP     | ORT COMPLIANCE   |  |
| *  |                | -415, substantial owners of business apport obligations throughout the con | entities that contract with the City must ntract's term.                           |
|  |                | ly owns 10% or more of the Disclosics court of competent jurisdiction?     | ing Party been declared in arrearage on any  |
| [] Yes []  | X] No [        | ] No person directly or indirectly ov<br>Disclosing Party.                 | wns 10% or more of the   |
| If "Yes," has the person compliance with that ag |                | court-approved agreement for payme   | nt of all support owed and is the person in  |
| [JYes []No                                       |                |  |  |

#### B. FURTHER CERTIFICATIONS

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

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

### Page 4 of 13

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

authorization of a responsible official of the Disclosing Party, any Contractor or any Affiliated Entity (collectively "Agents").

#### Page 5 of 13

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

- a. bribed or attempted to bribe, or been convicted or adjudged guilty of bribery or attempting to bribe, a public officer or employee of the City, the State of Illinois, or any agency of the federal government or of any state or local government in the United States of America, in that officer's or employee's official capacity;
- b. agreed or colluded with 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 Universified List, the Entity List and the Debarred List.
- 6. The Disclosing Party understands and shall comply with the applicable requirements of Chapters 2-55 (Legislative Inspector General), 2-56 (Inspector General) and 2-156 (Governmental Ethics) of the Municipal Code.
- 7. If the Disclosing Party is unable to certify to any of the above statements in this Part B (Further Certifications), the Disclosing Party must explain below:'

| File #: | O2016-7987, | Version: | 1 |
|---------|-------------|----------|---|
|---------|-------------|----------|---|

## 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)

[] is D\_ 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):

| File #: O2016-7987   | 7, Version: 1   |  |
|--|---|--|
|  | the word "None," or no response appea<br>Disclosing Party certified to the above st   | rs on the lines above, it will be conclusively tatements.  |
| D. CERTIFICATION   | ON REGARDING INTEREST IN CITY   | BUSINESS   |
| Any words or term used in this Part D.                             | -   | e Municipal Code have the same meanings when   |
|  |   | cipal Code: Does any official or employee of the City have a any other person or entity in the Matter?   |
| NOTE: If you che Part E.   | cked "Yes" to Item D.l., proceed to Item  | as D.2. and D.3. If you checked "No" to Item D.1., proceed to  |
| employee shall hav<br>purchase of any pro-<br>legal process at the | e a financial interest in his or her own naperty that (i) belongs to the City, or (ii) suit of the City (collectively, "City Prop | dding, or otherwise permitted, no City elected official or ame or in the name of any other person or entity in the is sold for taxes or assessments, or (iii) is sold by virtue of perty Sale"). Compensation for property taken pursuant to the l interest within the meaning of this Part D. |
| Does the Matter in   | volve a City Property Sale?   |  |
| [] Yes   | [ ] No  |  |
| · ·  | ked "Yes" to Item D.l., provide the name<br>such interest and identify the nature of st   | es and business addresses of the City officials or uch interest:   |
| Name   | Business Address  | Nature of Interest   |
| 1 The Disalogi   | ng Party further certifies that no smalli   | hitad financial interest in the Motter will be acquired by any   |
| City official or emp   |   | bited financial interest in the Matter will be acquired by any   |
| E. CERTIFICATIO  | ON REGARDING SLAVERY ERA BUS  | SINESS   |

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

Page 8 of 13

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

Matter voidable by the City. ..

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

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

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

#### A. CERTIFICATION REGARDING LOBBYING

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

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

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

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

| File #: | O2016-7987, <b>Version</b> : | 1 |
|---------|------------------------------|---|
|---------|------------------------------|---|

forth in paragraphs A.l. and A.2. above.

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

#### B. CERTIFICATION REGARDING EQUAL EMPLOYMENT OPPORTUNITY

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

Is the Disclosing Party the Applicant?

[]Yes []No If "Yes," answer the three questions below:

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

[] 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?

[JYes []No

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

Page 10 of 13

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

The Disclosing Party understands and agrees that:

A. The certifications, disclosures, and acknowledgments contained in this EDS will become part of any contract or other

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

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

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

- C. If the City determines that any information provided in this EDS is false, incomplete or inaccurate, any contract or other agreement in connection with which it is submitted may be rescinded or be void or voidable, and the City may pursue any remedies under the contract or agreement (if not rescinded or void), at law, or in equity, including terminating the Disclosing Party's participation in the Matter and/or declining to allow the Disclosing Party to participate in other transactions with the City. Remedies at law for a false statement of material fact may include incarceration and an award to the City of treble damages.
- D. It is the City's policy to make this document available to the public on its Internet site and/or upon request. Some or all of the information provided on this EDS and any attachments to this EDS may be made available to the public on the Internet, in response to a Freedom of Information Act request, or otherwise. By completing and signing this EDS, the Disclosing Party waives and releases any possible rights or claims which it may have against the City in connection with the public release of information contained in this EDS and also authorizes the City to verify the accuracy of any information submitted in this EDS.
- E. The information provided in this EDS must be kept current. In the event of changes, the Disclosing Party must supplement this EDS up to the time the City takes action on the Matter. If the Matter is a contract being handled by the City's Department of Procurement Services, the Disclosing Party must update this EDS as the contract requires. NOTE: With respect to Matters subject to Article I of Chapter 1-23 of the Municipal Code (imposing PERMANENT INELIGIBILITY for certain specified offenses), the information provided herein regarding eligibility must be kept current for a longer period, as required by Chapter 1-23 and Section 2-154-020 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 arc the Disclosing Party or its Affiliated Entities delinquent in paying any fine, fee, tax or other charge owed lo the City. This includes, but is not limited to, all water charges, sewer charges, license fees, parking tickets, property taxes or sales taxes.
- F.2 If the Disclosing Party is the Applicant, the Disclosing Party and its Affiliated Entities will not use, nor permit their subcontractors to use, any facility listed by the U.S. 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.

900 Block I Tucker GP Member LLC (Print or type name of Disclosingjiarly)

(Sign here) Richard H. Tucker (Print or type name of person signing)

President and Chief Executive Officer (Print or type title of person signing) (state).

Notary Public.

Page 12 of 13

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

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

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

Under Municipal Code Section 2-154-015, the Disclosing Party must disclose whether such Disclosing Party or any "Applicable Party" or any Spouse or Domestic Partner thereof currently has a "familial relationship" with any elected city official or department head. A "familial relationship" exists if, as of the date this EDS is signed, the Disclosing Party or any "Applicable 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 [X] No

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

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 h<]No

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?

| File #: O2016-7987, Version: 1  |  |   |   |          |
|---|--|---|---|----------|
| []Yes   | [ ]No  | [X] Not Applica   | ıble  |          |
| 3. If yes to (1) or (2) above, ple identified as a building code which the pertinent code vio                 | scofflaw or proble   |   |   | lings to |
| FILLING OUT THIS APP<br>AGREEMENT THAT TH<br>AND MADE A PART OF,<br>MADE IN THIS APPEND<br>PENALTY OF PERJURY | IS APPENDIX B<br>THE ASSOCIAT<br>IX B ARE SUBJE<br>ON PAGE 12 OF | IS INCORPORATED BY<br>EED EDS, AND THAT TI<br>ECT TO THE CERTIFIC | Y REFERENCE INTO<br>HE REPRESENTATIO<br>CATION MADE UNDE<br>OS.<br>DISCLOSURE | ÓNS      |
| SECTION I - GENERAL INFORM  | IATION   |   |   |          |
| A Legal mama of the Digale  | aina Dantu aybasit   | ting this EDS Include   | d/h/a/ if amplicable.   | Tualram  |
| A. Legal name of the Disclo   | sing Party Submit  | ting this EDS. Include  | d/b/a/ 11 applicable:   | Tucker   |
| Development Corporation   |  |   |   |          |
| Check ONE of the following three b  | oxes:  |   |   |          |
| Indicate whether the Disclosing Party  1. [] the Applicant  OR  | submitting this EDS  | is:   |   |          |
| <ul><li>2. [] a legal entity holding a direc</li><li>2. Applicant in which the Disclosi</li><li>OR</li></ul>  |  |   | al name of the  |          |
| 3. K] a legal entity with a right of which the Disclosing Party holds a                                       | *  |   | <del></del>   |          |
| B. Business address of the Disclosing   | Party: 799 Central   | Avenue, Suite 300   |   |          |
|   | Hig  | hland Park, IL 60035  |   |          |
| C. Telephone: (847) 748-3880  | Fax:   | Email: _  | ī   | n        |
| D. Name of contact person: Aaron M.   | Tucker   |   |   |          |
| E. Federal Employer Identification No   | o. (if you have one): 3  | 36-4047161  |   |          |
|   |  |   |   |          |

| riie #: O2016-7987, <b>version:</b> 1  |                            |                    |                          |
|--|----------------------------|--------------------|--------------------------|
|  |                            |                    |                          |
| F. Brief description of contract, transaction or other upertains. (Include project number and location of properties)  | • `                        | ow as the "Matte   | er") to which this EDS   |
| Class L application for property generally located with  | hin the 900 block of West  | Randolph Street    |                          |
| G. Which City agency or department is requesting thi   | s EDS? Department of Plan  | nning and Develo   | opment                   |
| If the Matter is a contract being handled by the following:  | e City's Department of Pro | ocurement Servi    | ces, please complete the |
| 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 f(] Private partnership [ ] Limited partnership [ ] Trust Party:  [ ] Limited liability company [ ] Limited liability partnership [ ] Joint venture [ ] Not-for-profit corporation (Is the not-for-profit corporation also a 501(c)(3)) |                            |                    | etorship [ ] General     |
| [] Other (please specify)  |                            |                    |                          |
| 2. For legal entities, the state (or foreign country)  | of incorporation or organi | zation, if applica | ıble:                    |
| Illinois   |                            |                    |                          |
| 3. For legal entities not organized in the State State of Illinois as a foreign entity?  | of Illinois: Has the organ | nization registere | ed to do business in the |
| [ ] Yes  |                            |                    |                          |
| B. IF THE DISCLOSING PARTY IS A LEGAL EN   | ГІТҮ:                      |                    |                          |

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 See attached Exhibit A - Directors and Officers

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

#### **EXHIBIT A**

### **Tucker Development Corporation Directors and Officers**

Richard H. Tucker Cary S. Glenner John J. Donohue Teresa L. Connors Robert Clark Deno T. Varlas Aaron M. Tucker

President and Chief Executive Officer

Executive Vice President and Chief Operating Officer

Senior Vice President, Design and Construction

Senior Vice President, Asset Management

Senior Vice President, Development

Chief Financial Officer

Vice President & General Counsel

Vice President, Development

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

Percentage Interest in the Disclosing Party

Richard H. Tucker Revocable Trust u/a/d 7/28/2006 75%

799 Central Avenue, Suite 300 Highland Park, IL 60035 Cary S. Glenner Revocable Trust u/a/d/

**Business Address** 

4/5/1985 25% 799 Central Avenue, Suite 300 Highland Park, IL 60035

#### 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 |X] No

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

#### SECTION IV - DISCLOSURE OF SUBCONTRACTORS AND OTHER RETAINED 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 cither ask the City whether disclosure is required or make the disclosure.

Page 3 of 13

Name (indicate whether retained or anticipated to be retained)

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

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

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

| File #: O2016-79                  | 87, <b>Version:</b> 1 |  |
|-----------------------------------|-----------------------|--|
|                                   |                       |  |
|                                   |                       |  |
|                                   |                       |  |
| (Add sheets if ne                 | ecessary)             |  |
| [XJ Check here                    | e if the Disclosin    | g Party has not retained, nor expects to retain, any such persons or entities.   |
| SECTION V - C                     | CERTIFICATION         | NS   |
| A. COURT-OR                       | DERED CHILD S         | UPPORT COMPLIANCE  |
|                                   | •                     | 2-92-415, substantial owners of business entities that contract with the City must ild support obligations throughout the contract's term.                                   |
| • •                               | •                     | irectly owns 10% or more of the Disclosing Party been declared in arrearage on any inois court of competent jurisdiction?  |
| [ ] Yes                           | X] No                 | [] No person directly or indirectly owns 10% or more of the Disclosing Party.  |
| If "Yes," has the compliance with | -                     | o a court-approved agreement for payment of all support owed and is the person in  |
| []Yes []No                        |                       |  |
| B. FURTHER C                      | CERTIFICATIONS        | S  |
|                                   | •                     | Chapter 1-23, Article I ("Article I")(which the Applicant should consult for defined egal 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 fiveyear compliance timeframes in certifications 2 and 3 below.

Page 4 of 13

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

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

#### Page 5 of 13

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

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

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

#### Pace 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

| File : | #: ( | 2016 | -7987, | Vers | ion: | 1 |
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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 [vj 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):

#### Pa«e 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.

| File #: O2016-7987, <b>V</b>  | ersion: 1   |  |
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|   |   | cipal Code: Does any official or employee of the City have a any other person or entity in the Matter?   |
| NOTE: If you checke<br>Part E.  | ed "Yes" to Item D.l., proceed to Item  | ns D.2. and D.3. If you checked "No" to Item D.l., proceed to  |
| employee shall have a<br>purchase of any prope<br>legal process at the su | financial interest in his or her own norty that (i) belongs to the City, or (ii) it of the City (collectively, "City Projection") | idding, or otherwise permitted, no City elected official or name or in the name of any other person or entity in the is sold for taxes or assessments, or (iii) is sold by virtue of perty Sale"). Compensation for property taken pursuant to the all interest within the meaning of this Part D. |
| Does the Matter invol   | ve a City Property Sale?  |  |
| [] Yes  | [ ] No  |  |
|   | I "Yes" to Item D.l., provide the name<br>h interest and identify the nature of s   | nes and business addresses of the City officials or such interest:   |
| Name  | Business Address  | Nature of Interest   |
|   |   |  |
| 4. The Disclosing City official or employ                                 | -   | bited financial interest in the Matter will be acquired by any   |
| E. CERTIFICATION  | REGARDING SLAVERY ERA BU  | SINESS   |
|   | EDS all information required by parag   | arty checks 2., the Disclosing Party must disclose below or ingraph 2. Failure to e 8 of 13  |
|   |   |  |

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

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

| File | #: ( | <b>D201</b> | 6-7 | 987. | Vers | ion: | 1 |
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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.l. and A.2. above.
- 4. The Disclosing Party certifies that either: (i) it is not an organization described in section 501(c)(4) of the Internal Revenue Code of 1986; or (ii) it is an organization described in section 501(c)(4) of the Internal Revenue Code of 1986 but has not engaged and will not engage in "Lobbying Activities".
  - 5. If the Disclosing Party is the Applicant, the Disclosing Party must obtain certifications equal in form and

| File #: O2016-7987, \ | √ersion: | 1 |
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substance to paragraphs A.l. through A.4. above from all subcontractors before it awards any subcontract and the Disclosing Party must maintain all such subcontractors' certifications for the duration of the Matter and must make such certifications promptly available to the City upon request.

#### B. CERTIFICATION REGARDING EQUAL EMPLOYMENT OPPORTUNITY

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

| Is the Disclosing Par | ty the Applicant? |
|-----------------------|-------------------|
| [] Yes                | [ ] No            |

If "Yes," answer the three questions below:

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

[]Yes []No

- 2. Have you filed with the Joint Reporting Committee, the Director of the Office of Federal Contract Compliance Programs, or the Equal Employment Opportunity Commission all reports due under the applicable filing requirements? []Yes []No
- 3. Have you participated in any previous contracts or subcontracts subject to the equal opportunity clause?

[JYes []No

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

Page 10 of 13

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

The Disclosing Party understands and agrees that:

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

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

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

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

The Disclosing Party represents and warrants that:

### Page 1 1 of 13

- F.l. The Disclosing Party is not delinquent in the payment of any tax administered by the Illinois Department of Revenue, nor are the Disclosing Party or its Affiliated Entities delinquent in paying any fine, fee, tax or other charge owed to the City. This includes, but is not limited to, all water charges, sewer charges, license fees, parking tickets, property taxes or sales taxes.
- F.2 If the Disclosing Party is the Applicant, the Disclosing Party and its Affiliated Entities will not use, nor permit their subcontractors to use, any facility listed by the U.S. E.P.A. on the federal Excluded Parties List System ("EPLS") maintained by the U.S. General Services Administration.
- F.3 If the Disclosing Party is the Applicant, the Disclosing Party will obtain from any contractors/subcontractors hired or to be hired in connection with the Matter certifications equal in form and substance to those in F.1. and F.2. above and

will not, without the prior written consent of the City, use any such contractor/subcontractor that does not provide such certifications or that the Disclosing Party has reason to believe has not provided or cannot provide truthful certifications.

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

#### CERTIFICATION

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

Tucker Development Corporation (Print or type name of Disclosing Party)

(Sign here) Richard H.

Tucker (Print or type name of person signing)

President and Chief Executive Officer (Print or type title of person signing)

# 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.

| File #: | O2016-7987. | Version: | 1 |
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|         |             |          |   |

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

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

[] Yes |X] No

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

#### 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 \_\_]No

2. If the Applicant is a legal entity publicly traded on any exchange, is any officer or director of the Applicant identified as a building code scofflaw or problem landlord pursuant to Section 2-92-416 of the Municipal Code?

[]Yes []No [X] Not Applicable

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

| File : | #: ( | 2016 | -7987, | Vers | ion: | 1 |
|--------|------|------|--------|------|------|---|
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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.