



Office of the City Clerk

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Legislation Details (With Text)

File #: O2019-2834
Type: Ordinance **Status:** Passed
File created: 4/10/2019 **In control:** City Council
Final action: 7/24/2019

Title: Sale of City-owned properties at 5822 S Halsted St, 1052-1056 W 59th St, 1114-1120 W 59th St and 5800 S Ada St to NeighborSpace in partnership with Grow Greater Englewood, Inc. for construction and management of outdoor community urban farms

Sponsors: Emanuel, Rahm
Indexes: Sale
Attachments: 1. O2019-2834.pdf

Date	Ver.	Action By	Action	Result
7/24/2019	1	City Council	Passed	Pass
7/17/2019	1	Committee on Housing and Real Estate	Recommended to Pass	
6/6/2019	1	Committee on Housing and Real Estate	Held in Committee	
4/10/2019	1	City Council	Referred	

OFFICE OF THE MAYOR
CITY OF CHICAGO

RAHM EMANUEL
MAYOR

April 10, 2019

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 ordinances authorizing the sale of City-owned property.

Your favorable consideration of these ordinances will be appreciated.

Mayor

Very truly yours,

**AN ORDINANCE OF THE CITY OF CHICAGO, ILLINOIS AUTHORIZING THE
CONVEYANCE OF CITY LAND TO NEIGHBORSPACE**

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

WHEREAS, the City has established the Community Development Commission ("CDC") to, among other things, designate redevelopment areas, approve redevelopment plans, and recommend the sale or lease of parcels located in redevelopment areas, subject to the approval of the City Council of the City ("City Council"); and

WHEREAS, the City Council, by ordinance adopted on June 27, 2001, and published in the Journal of Proceedings, of the City Council (the "Journal") for such date at pages 61852 through 62055, has approved a redevelopment plan and project (the "Plan") for the Englewood Neighborhood Redevelopment Project Area (the "Area") pursuant to the Illinois Tax Increment Allocation Redevelopment Act, as amended (65 ILCS 5/11-74.4-1 et seq., (the "Act")), has designated the Area as a "redevelopment project area" under the Act, and has adopted tax increment financing for the Area; and

WHEREAS, the City Council finds that there is a lack of sufficient open space in the City for recreational and aesthetic uses, and as a result there is a need to develop small open spaces as parks, gardens and natural areas for public use for the benefit of the citizens of the City; and

WHEREAS, the Chicago Plan Commission ("CPC"), the Chicago Park District and the City Council have previously prepared and approved that certain planning document entitled "CitySpace: An Open Space Plan For Chicago," dated January 1998 (the "Open Space Plan"), which sets forth certain goals and objectives for increasing open space in the City; and

WHEREAS, the Open Space Plan sets a minimum standard of two acres of open space per 1,000 residents; and

WHEREAS, the City Council finds that the establishment of additional public open space and parkland is essential to the general health, safety and welfare of the City; and

WHEREAS, the CPC has previously approved that certain planning document entitled the "Green Healthy Neighborhoods Plan," dated March 20, 2014 (the "Green Plan"); and

WHEREAS, the Green Plan provides a set of strategies for housing, retail, open space and productive landscapes within the Englewood, West Englewood, Greater Grand Crossing, Woodlawn, and Washington Park community areas (the "Study Area"); and

WHEREAS, the City owns the parcel of real property commonly known as 5822 S. Halsted Street, Chicago, Illinois, and identified on Exhibit A-1 attached hereto and made a part

hereof (the "Halsted Parcel"); and

WHEREAS, the City owns the parcels of real property commonly known as 1052-1056 W. 59th Street, Chicago, Illinois, and identified on Exhibit A-2 attached hereto and made a part hereof (the "East 59th Street Parcels"); and

WHEREAS, the City owns the parcels of real property commonly known as 1114-1120 W. 59th Street, Chicago, Illinois, and identified on Exhibit A-3 attached hereto and made a part hereof (the "West 59th Street Parcels" and together with the East 59th Street Parcels, the "59th Street Parcels"); and

WHEREAS, the Halsted Parcel and the 59th Street Parcels are located in the Area; and

WHEREAS, the City owns the parcel of real property commonly known as 5800 S. Ada Street, Chicago, Illinois, and identified on Exhibit A-4 attached hereto and made a part hereof (the "Ada Parcel" and together with the Halsted Parcel and the 59th Street Parcels, the "Property"); and

WHEREAS, the Property is located in the Study Area; and

WHEREAS, pursuant to an ordinance adopted by the City Council on March 26, 1996, and published at pages 18969 through 18979 in the Journal for such date (the "Neighborspace Ordinance"), the City Council approved the establishment of NeighborSpace, an Illinois not-for-profit corporation, as a collaboration among the City, the Chicago Park District and the Cook County Forest Preserve District to address the lack of sufficient open space in the City for recreational and aesthetic uses; and

WHEREAS, NeighborSpace was incorporated under the laws of the State of Illinois as a not-for-profit corporation on May 29, 1996, organized exclusively for charitable, scientific and educational purposes including, but not limited to, the preservation of open space and parks within the City; and

WHEREAS, the primary function of NeighborSpace is to own, lease and manage small open spaces in the City for development and maintenance by neighborhood community groups; and

WHEREAS, the NeighborSpace Ordinance contemplates that the City would donate, sell or lease land to NeighborSpace, and that NeighborSpace, in turn, would enter into agreements with local groups to use and maintain the land as community gardens or other public open space; and

WHEREAS, the City desires to convey the Property to NeighborSpace for the creation of outdoor community urban farms; and

WHEREAS, NeighborSpace will partner with Grow Greater Englewood, Inc., an Illinois not-for-profit, ("GGE") to establish outdoor community urban farms on the Property; and

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WHEREAS, NeighborSpace will own the Property and GGE will construct and manage the outdoor community urban farms; and

WHEREAS, the City plans to enroll the Property in the Illinois Environmental Protection Agency's (the "IEPA") Site Remediation Program (the "SRP") for the purposes of receiving a Comprehensive Residential Final No Further Remediation Letter (the "Final NFR"), and prior to the conveyance of the Property, the City plans to install a geotextile engineered barrier or equivalent that meets the requirements set forth in Title 35 of the Illinois Administrative Code Section 742.1105 (the "Engineered Barrier"); and

WHEREAS, the City Council finds that the conveyance of the Property to NeighborSpace is consistent with the goals and objectives of the Open Space Plan, which, among other things, specifies that parks, open spaces and other community facilities should be located within walking distance of residential developments; and

WHEREAS, the City Council finds that the conveyance of the Property to NeighborSpace is consistent with the goals and objectives of the Green Plan, as outdoor community urban farms are a viable component of the Green Plan's goals to improve the environmental quality of the neighborhood, to promote healthy food selection and eating, and to create employment opportunities for residents; and

WHEREAS, the City Council finds that the conveyance of the Halsted Parcel and the 59th Street Parcels is consistent with the Plan for the Area; and

WHEREAS, the City Council finds that the conveyance of the Property to NeighborSpace for use as outdoor community urban farms are in the best interests of the City; and

WHEREAS, the Halsted Parcel and the Ada Parcel are located in a M1-1 light manufacturing/business park zoning district, which zoning district prohibits outdoor urban farms; and

WHEREAS, the East 59th Street Parcel is located in a B3-1 community shopping zoning district, which zoning district prohibits outdoor urban farms; and

WHEREAS, the West 59th Street Parcel is located in a RS-3 residential zoning district, which zoning district prohibits outdoor urban farms; and

WHEREAS, prior to conveyance of the Property to NeighborSpace, the City plans to rezone the Property to zoning districts that allow outdoor urban farms; and

WHEREAS, such rezoning shall occur by separate ordinance; and

WHEREAS, pursuant to a Resolution 19-CDC-13 adopted on March 12, 2019, the CDC recommended the sale of the Halsted Parcel and the 59th Street Parcels; and

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WHEREAS, public notices advertising the proposed sale of the Halsted Parcel and the 59th Street

Parcels appeared in the Chicago Sun-Times, a newspaper of general circulation (the "Sun-Times"), on March 16, March 30, and April 13, 2019; and

WHEREAS, public notices advertising the proposed sale of the Ada Parcel appeared in the Sun-Times on March 1, March 15 and March 29, 2019; and

WHEREAS, no alternative proposals were received by the City prior to the respective deadlines set forth in such advertisements; now, therefore,

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

SECTION 1. The foregoing recitals, findings and statements of fact are hereby adopted as the findings of the City Council.

SECTION 2. The City hereby approves the conveyance of the Property to NeighborSpace for the sum of One Dollar (\$1.00) per parcel, subject to the satisfaction of the following conditions (unless waived by the Department of Planning and Development (the "Department") in its sole discretion):

- a) The City shall have obtained the Final NFR and shall have installed the Engineered Barrier on the Property; and
- b) The Property shall have been rezoned to zoning districts that permit outdoor urban farms.

SECTION 3. The Mayor or his proxy is authorized to execute, and the City Clerk is authorized to attest, one or more quitclaim deeds conveying the Property to, NeighborSpace. The quitclaim deed(s) shall include the following covenants running with the land, if such covenants are applicable, or language substantially similar and acceptable to the Corporation Counsel:

First: NeighborSpace shall use, or permit the use, of the Property as open space only, including, without limitation, as a community garden or an urban farm. If NeighborSpace uses, or permits the use of, the Property for any other purpose, the City may re-enter and take possession of the Property, terminate the estate conveyed to NeighborSpace, and revert title to the Property in the City. The Commissioner of the Department, in his sole and absolute discretion, shall have the authority to release or modify this covenant upon the request of NeighborSpace.

Second: The City has enrolled the Property in the IEPA's SRP and obtained the Final NFR in a manner that complies with all land use restrictions, institutional controls and other terms and conditions contained in the Final NFR Letter for the Property. If the usage of the Property changes, NeighborSpace shall re-enroll the Property in the SRP and receive an appropriate Final NFR for the proposed

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usage. If NeighborSpace uses, or permits the use of, the Property for any purpose that does not comply with the requirements in this covenant, the City may re-enter and take possession of the Property, terminate the estate conveyed to NeighborSpace, and revert title to the Property in the City.

Third: The Property has been improved with the Engineered Barrier. NeighborSpace shall use, and permit the

use of, the Property only in a manner that does not disturb the Engineered Barrier. If NeighborSpace uses, or permits the use of, the Property in any way that disturbs the Engineered Barrier, the City may re-enter and take possession of the Property, terminate the estate conveyed to NeighborSpace, and revert title to the Property in the City.

Fourth: NeighborSpace acknowledges and agrees that the Property is being conveyed, and NeighborSpace accepts the Property, in its "as is," "where is" and "with all faults" condition without any covenant, representation or warranty, express or implied, of any kind, as to the structural, physical or environmental condition of the Property or the suitability of the Property for any purpose whatsoever. NeighborSpace, on behalf of herself/himself/themselves/itself (as applicable) and hers/his/their/its (as applicable) successors and assigns, shall release, relinquish and forever discharge the City and its officers, employees, agencies, departments and officials, from and against any and all claims, causes of action, demands, legal or administrative proceedings, losses, damages, liabilities, judgments, amounts paid in settlement, interest, fines, penalties, costs and expenses (including, without limitation, reasonable attorney's fees and expenses and court costs) based upon, arising out of or in any way connected with, directly or indirectly, the structural, physical or environmental condition of the Property. The foregoing covenant of release is part of the consideration for the Property and shall run with the land and bind NeighborSpace and NeighborSpace's successors and assigns.

Fifth: The Halsted Parcel and the 59th Street Parcels are is located in the Englewood Neighborhood Redevelopment Area ("Area"), established pursuant to ordinances adopted by the City Council on June 27, 2001, and published in the Journal for such date at pages 61852 through 62055. NeighborSpace is obligated to use the Halsted Parcel and the 59th Street Parcels only for uses permitted under the redevelopment plan for the Area, until such redevelopment plan expires. NeighborSpace's acceptance of this deed shall be deemed to be NeighborSpace's agreement to comply with such use restrictions.

Sixth: NeighborSpace shall not discriminate on the basis of race, color, sex," gender identity, age, religion, disability, national origin, ancestry, sexual orientation, marital status, parental status, military discharge status, or source of income in the sale, lease, rental, use or occupancy of the Property or any part thereof.

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SECTION 4. The Commissioner of the Department ("Commissioner") or a designee of the Commissioner is each hereby authorized to negotiate, execute and deliver such documents as may be necessary or appropriate to implement the provisions of this ordinance, subject to the approval of the Corporation Counsel. Such documents may contain terms and provisions that the Commissioner or the Commissioner's designee deem appropriate.

SECTION 5. If any provision of this ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such provision shall not affect any of the other provisions of this ordinance.

SECTION 6. All ordinances, resolutions, motions or orders in conflict with this ordinance are hereby repealed to the extent of such conflict.

SECTION 7. This ordinance shall be in full force and effect immediately upon its passage and

approval.

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EXHIBIT A-1 LEGAL DESCRIPTION OF HALSTED

PARCEL

(SUBJECT TO FINAL SURVEY AND TITLE COMMITMENT)

LOTS 5, 6, 7, 8, 9, 34, 35, 36, 37, 38, AND 39 (EXCEPT THE NORTH 16 FEET OF LOT 39) IN BLOCK 8 IN JOHN WALKER'S SUBDIVISION OF THE SOUTHEAST ¹/₄ OF THE NORTHEAST ¹/₄ OF SECTION 17, TOWNSHIP 38 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

COMMONLY KNOWN AS: 5822 S. HALSTED STREET
CHICAGO, ILLINOIS, 60621

PERMANENT INDEX NOS.: 20-17-231 -004-0000

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EXHIBIT A-2

LEGAL DESCRIPTION OF EAST 59^T" STREET PARCELS

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EXHIBIT A-4 LEGAL DESCRIPTION OF ADA

PARCEL

(SUBJECT TO FINAL SURVEY AND TITLE COMMITMENT)

LOTS 1 (EXCEPT THE WEST 124 FEET THEREOF) IN FOREMAN'S RESUBDIVISION OF LOTS 47 TO

^lp/i^k-W-iT ^?„p

Check ONE of the following three boxes:

Indicate whether the Disclosing Party submitting this EDS is: L

yx3 the Applicant r OR

- 2. a legal entity currently holding, or anticipated to hold within six months after City action on
- 2. the contract, transaction or other undertaking to which this EDS pertains (referred to below as the
- 2. "Matter"), a direct or indirect interest in excess of 7.5% in the Applicant. State the Applicant's legal
- 2. name:

OR

- 3. a legal entity with a direct or indirect right of control of the Applicant (see Section 11(B)(1))

State the legal name of the entity in which the Disclosing Party holds a right of control:

B. Business address of the Disclosing Party; H} H ^ ^1. SVrr.r>~ fy^Pn^V) fft/rf

C. Telephone: 9? ^ -ft J 3(3*] Fax: W ' W- ~ CfcL Email: b Adp M CD f&fjUw-Sfif<

D. Name of contact person: (4p L p jyn Kef ^

E. Federal Employer Identification No. (if you have one); ___

F. Brief description of the Matter to which this EDS pertains. (Include project number and location of property, if applicable):

G. Which City agency or department is requesting this EDS? Os>f>/i r^^f of Plot t|r|i r|<* (J>vM ' Ps11)f>/r\enT~ ^ If the Matter is a contract being handled by the City's Department of Procurement Services, please complete the following:

Specification H and Contract #

SECTION II - DISCLOSURE OF OWNERSHIP INTERESTS

A NATURE OF THE DISCLOSING PARTY

1. Indicate the nature of the Disclosing Party:

- Person Limited liability company
- Publicly registered business corporation Limited liability partnership

- Privately held business corporation
- Sole proprietorship
- General partnership
- Limited partnership
- Trust
- Joint venture
- Not-for-profit corporation
(Is the not-for-profit corporation also a 501(c)(3))?
- Yes No
- Other (please specify)

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

~CI}y\ 6tS

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 Organized in Illinois

B. IF THE DISCLOSING PARTY IS A LEGAL ENTITY:

1. List below the full names and titles, if applicable, of: (i) all executive officers and all directors of the entity, (ii) for not-for-profit corporations, all members, if any, which are legal entities (if there are no such members, write "no members which are legal entities"); (iii) for trusts, estates or other similar entities, the trustee, executor, administrator, or similarly situated party; (iv) for general or limited partnerships, limited liability companies, limited liability partnerships or joint ventures, each general partner, managing member, manager or any other person or legal entity that directly or indirectly controls the day-to-day management of the Applicant.

NOTE. Each legal entity listed below must submit an EDS on its own behalf.

Name Title

Soj> AnV/rAg-ff / - T~

2. Please provide the following information concerning each person or legal entity having a direct or indirect, current or prospective (i.e. within 6 months after City action) beneficial interest (including ownership) in excess of 7.5% of the Applicant. Examples of such an interest include shares in a corporation, partnership interest in a partnership or joint venture, interest of a member or manager in a

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neighborspace

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Executive Director

Ben Helphand

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limited liability company, or interest of a beneficiary of a trust, estate or other similar entity. If none, state "None."

NOTE: Each legal entity listed below may be required to submit an EDS on its own behalf.

Name	Business Address	Percentage Interest in the Applicant
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SECTION III - INCOME OR COMPENSATION TO, OR OWNERSHIP BY, CITY ELECTED OFFICIALS

Has the Disclosing Party provided any income or compensation to any City elected official during the 12-month period preceding the date of this EDS? Yes / No

Does the Disclosing Party reasonably expect to provide any income or compensation to any City elected official during the 12-month period following the date of this EDS? Yes No

If "yes" to either of the above, please identify below the name(s) of such City elected official(s) and describe such income or compensation:

Does any City elected official or, to the best of the Disclosing Party's knowledge after reasonable inquiry, any City elected official's spouse or domestic partner, have a financial interest (as defined in Chapter 2-156 of the Municipal Code of Chicago ("MCC")) in the Disclosing Party? Yes No

If "yes," please identify below the name(s) of such City elected official(s) and/or spouse(s)/domestic partner (s) and describe the financial interest(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 (as defined in MCC Chapter 2-156), 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. 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 Business retained or anticipated Address to be retained)
Relationship to Disclosing Party (subcontractor, attorney, lobbyist, etc.)
Fees (indicate whether paid or estimated.) NOTE: "hourly rate" or "t.b.d." is not an acceptable response.

(Add sheets if necessary)

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

SECTION V - CERTIFICATIONS

A. COURT-ORDERED CHILD SUPPORT COMPLIANCE

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

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

Yes No ^XNo 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. [This paragraph 1 applies only if the Matter is a contract being handled by the City's Department of Procurement Services.] In the 5-year period preceding the date of this EDS, neither the Disclosing Party nor any Affiliated Entity [see definition in (5) below] has engaged, in connection with the performance of any public contract, the services of an integrity monitor, independent private sector inspector general, or integrity compliance consultant (i.e., an individual or entity with legal, auditing, investigative, or other similar skills, designated by a public agency to help the agency monitor the activity of specified agency vendors as well as help the vendors reform their business practices so they can be considered for agency contracts in the future, or continue with a contract in progress).

2. The Disclosing Party and its Affiliated Entities are not delinquent in the payment of any fine, fee, tax or other source of indebtedness owed to the City of Chicago, including, but not limited to, water and sewer charges, license fees, parking tickets, property taxes and sales taxes, nor is the Disclosing Party delinquent in the payment of any tax administered by the Illinois Department of Revenue.

3 The Disclosing Party and, if the Disclosing Party is a legal entity, all of those persons or entities identified in Section 11(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, during the 5 years before 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 subparagraph (b) above;
- d. have not, during the 5 years before the date of this EDS, had one or more public transactions (federal, state or local) terminated for cause or default, and
- e. have not, during the 5 years before 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.

4. The Disclosing Party understands and shall comply with the applicable requirements of MCC Chapters 2-56 (Inspector General) and 2-156 (Governmental Ethics).

5. Certifications (5), (6) and (7) concern:

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

Neither the Disclosing Party, nor any Contractor, nor any Affiliated Entity of either the Disclosing Party or any Contractor, nor any Agents have, during the 5 years before the date of this EDS, or, with respect to a Contractor, an Affiliated Entity, or an Affiliated Entity of a Contractor during the 5 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 subparagraph (a) or (b) above that is a matter of record, but have not been prosecuted for such conduct; or
- d. violated the provisions referenced in MCC Subsection 2-92-320(a)(4)(Contracts Requiring a Base Wage), (a)(5) (Debarment Regulations); or (a)(6)(Minimum Wage Ordinance).

6. Neither the Disclosing Party, nor any 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.

7. Neither the Disclosing Party nor any Affiliated Entity is listed on a Sanctions List maintained by the United States Department of Commerce, State, or Treasury, or any successor federal agency.

8. [FOR APPLICANT ONLY] (i) Neither the Applicant nor any "controlling person" [see MCC Chapter 1-23, Article I for applicability and defined terms] of the Applicant 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 MCC Chapter 1-23, Article I applies to the Applicant, that Article's permanent compliance timeframe supersedes 5-year compliance timeframes in this Section V.

9. [FOR APPLICANT ONLY] The Applicant and its Affiliated Entities will not use, nor permit their subcontractors to use, any facility listed as having an active exclusion by the U.S. EPA on the federal System for Award Management ("SAM").

10. [FOR APPLICANT ONLY] The Applicant 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 Certifications (2) and (9) 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 Applicant has reason to believe has not provided or cannot provide truthful certifications.

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

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

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

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13. 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 \$25 per recipient, or (iii) a political contribution otherwise duly reported as required by law (if none, indicate with "N/A" or "none"). As to any gift listed below, please also list the name of the City recipient.

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C. CERTIFICATION OF STATUS AS FINANCIAL INSTITUTION

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

[] is /f^s not

a "financial institution" as defined in MCC Section 2-32-455(b).

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 MCC Chapter 2-32. We further pledge that none of our affiliates is, and none of them will become, a predatory lender as defined in MCC Chapter 2-32. 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 MCC Section 2-32-455(b)) is a predatory lender within the meaning of MCC Chapter 2-32, explain here (attach additional pages if necessary):

fj rT _ ; :

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 FINANCIAL INTEREST IN CITY BUSINESS

Any words or terms defined in MCC Chapter 2-156 have the same meanings if used in this Part D.

1. In accordance with MCC Section 2-156-110: To the best of the Disclosing Party's knowledge after reasonable inquiry, does any official or employee of the City have a financial interest in his or her own name or in the name of any other person or entity in the Matter?

[] Yes

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

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

Does the Matter involve a City Property Sale?

[] Yes [] No

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

Name	Business Address	Nature of Financial Interest
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4. The Disclosing Party further certifies that no prohibited financial interest in the Matter will be acquired by

any City official or employee.

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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 (2). Failure to comply with these disclosure requirements may make any contract entered into with the City in connection with the Matter voidable by the City.

(j) 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, as amended, 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, as amended, 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 Vcr.2()t8-t Page 9 of IS

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

3. The Disclosing Party will submit an updated certification at the end of each calendar quarter in which there occurs any event that materially affects the accuracy of the statements and information set forth in paragraphs A(1) and A(2) above.

4. The Disclosing Party certifies that either: (i) it is not an organization described in section 501(c)(4) of the Internal Revenue Code of 1986; or (ii) it is an organization described in section 501(c)(4) of the Internal Revenue Code of 1986 but has not engaged and will not engage in "Lobbying Activities," as that term is defined in the Lobbying Disclosure Act of 1995, as amended.

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

B CERTIFICATION REGARDING EQUAL EMPLOYMENT OPPORTUNITY

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

Is the Disclosing Party the Applicant?
 Yes No

If "Yes," answer the three questions below:

1. Have you developed and do you have on file affirmative action programs pursuant to applicable federal regulations? (See 41 CFR Part 60-2.)
 Yes No

2. Have you filed with the Joint Reporting Committee, the Director of the Office of Federal Contract Compliance Programs, or the Equal Employment Opportunity Commission all reports due under the applicable filing requirements?
 Yes No Reports not required

3. Have you participated in any previous contracts or subcontracts subject to the equal opportunity clause?
 Yes No

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

SECTION VII - FURTHER ACKNOWLEDGMENTS AND CERTIFICATION

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 Ordinance, MCC Chapter 2-156, imposes certain duties and obligations on persons or entities seeking City contracts, work, business, or transactions. The full text of this ordinance and a training program is available on line at www.cityofchicago.org/Ethics <<http://www.cityofchicago.org/Ethics>>, and may also be obtained from the City's Board of Ethics, 740 N. Sedgwick St., Suite 500, Chicago, IL 60610, (312) 744-9660. The Disclosing Party must comply fully with this ordinance
- 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 City transactions. 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 in, and appended to, this EDS may be made publicly available 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 MCC Chapter 1-23, Article I (imposing PERMANENT INELIGIBILITY for certain specified offenses), the information provided herein regarding eligibility must be kept current for a longer period, as required by MCC Chapter 1-23 and Section 2-154-020.

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CERTIFICATION

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

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(Print or type exact legal name of Disclosing Party)

By:

(Print or type title of person signing)

Signed and sworn to before me on (date) 'X-n-'^

at __lr_j__<_: County, _C"f(i »\ o i S (state).

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

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

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

Under MCC 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% ownership interest in the Disclosing Party. "Principal officers" means the president, chief operating officer, executive director, chief financial officer, treasurer or secretary of a legal entity or any person exercising similar authority.

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

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

**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% (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 MCC Section 2-154-010, is the Applicant or any Owner identified as a building code scofflaw or problem landlord pursuant to MCC Section 2-92-416?

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 MCC Section 2-92-416?

Yes No MThe Applicant is not publicly traded on any exchange.

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

**CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT
AND AFFIDAVIT
APPENDIX C**

PROHIBITION ON WAGE & SALARY HISTORY SCREENING - CERTIFICATION

This Appendix is to be completed only by an Applicant that is completing this EDS as a "contractor" as defined in MCC Section 2-92-385. That section, which should be consulted (www.amleual.com <<http://www.amleual.com>>), generally covers a party to any agreement pursuant to which they: (i) receive City of Chicago funds in consideration for services, work or goods provided (including for legal or other professional services), or (ii) pay the City money for a license, grant or concession allowing them to conduct a business on City premises.

On behalf of an Applicant that is a contractor pursuant to MCC Section 2-92-385, I hereby certify that the Applicant is in compliance with MCC Section 2-92-385(b)(1) and (2), which prohibit: (i) screening job applicants based on their wage or salary history, or (ii) seeking job applicants' wage or salary history from

current or former employers. I also certify that the Applicant has adopted a policy that includes those prohibitions.

Yes

No

This certification shall serve as the affidavit required by MCC Section 2-92-385(c)(1).

If you checked "no" to the above, please explain