

Office of the City Clerk

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

Legislation Text

File #: O2013-6091, Version: 1

ORDINANCE

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

SECTION 1. That the Chicago Zoning Ordinance be amended by changing all the current RM6.5 Residential Multi-Unit District symbols and indications as shown on Map No. 3-H in the area bounded by:

West Division Street; North Ashland Avenue; a line 122.25 feet south of West Division Street; and a line 149.04 feet west of North Ashland Avenue

to those of a B3-5 Community Shopping District which is hereby established in the area described above.

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

CITY OF CHICAGO

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APPLICATION FOR AN AMENDMENT TO THE CHICAGO ZONING ORDINANCE

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

1601 - 15 West Division Street/1148-56 North Ashland Avenue

- 2. Ward Number that property is located in:
- 3. APPLICANT 1601 West Division LLC

ADDRESS 1910 West Division Street

<u>CITY Chicago</u> <u>STATE IL</u> <u>ZIP CODE 60622</u>

PHONE 312-636-6937 CONTACT PERSON Rolando R Acosta

4. Is the Applicant the owner of the property? YES X NO
If the Applicant is not the owner of the property, please provide the following information regarding the owner and attach written authorization from the owner allowing the applicant to proceed.

OWNER

ADDRESS

CITY STATE ZIP CODE

PHONE CONTACT PERSON

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

ATTORNEY Rolando Acosta

ADDRESS 2949 W. Gregory St. CITY Chicago

CITY Chicago STATE IL ZIP CODE 60625

PHONE 312-636-6937 FAX 312-253-4440

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

1601 West Division Founders LLC; 2300 Partners, LLC; Wendy M. Serrino

- 7. On what date did the owner acquire legal title to the subject property? 2011
- 8. Has the present owner previously rezoned this property? If Yes, when?
- 8. Yes, June, 2012
- 9. Present Zoning District RM6.5 Proposed Zoning District B3-5
- 10. Lot Size in square feet (or dimensions) 16,678 sf
- 11. Current Use of the property 12 story mixed-use building with 99 residential

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units, ground floor retail, including a bank drive-thru, second floor retail/office uses, 15 shared parking spaces and 1 loading berth.

12. Reason for rezoning the property: Expand the available signage for retail/commercial tenants

- 13. Describe the proposed use of the property after the rezoning. Indicate the number of dwelling units; number of parking spaces; approximate square footage of any commercial space; and height o the proposed building. (BE SPECIFIC) Existing 12 story mixed-use building with 99 residential units, ground floor retail, including a bank drive-thru, second floor retail/office uses, 15 shared parking spaces and 1 loading berth to remain with the addition of adequate on-premises signage.
- 14. On May 14th, 2007, the Chicago City Council passed the Affordable Requirements Ordinance (ARO) that requires on-site affordable housing units or a financial contribution if residential housing projects receive a zoning change under certain circumstances. Based on the lot size of the project in question and the proposed zoning classification, is this project subject to the Affordable Requirements Ordinance? (See Fact Sheet for more information)

NO X

COUNTY OF COOK STATE OF ILLINOIS

I, £>uofto , being first duly sworn on oath, statesthat all of the above statements and the statements contained in the documents submitted herewith are true and correct.

Signature of Applicant Robert Buono! M anager of M anager, 1601 West Division Manager LLC

Notary Public

1 Notary RibHc, 8urt* at Mnote £ MyComn^E^awaoie

For Office Use Only

Date of Introduction: File Number: Ward:

- JA38 JAIOIW

September 2, 2013

Chairman, Committee on Zoning Room 304, City Hall Chicago, Illinois 60602

Chairman:

The undersigned, Rolando R. Acosta, being first duly swom on oath, deposes and say the following:

That the undersigned certifies that he has complied with the requirements of the Chicago Zoning Ordinance, Title 17, Section 13-0107-A of the Municipal Code of Chicago, by serving written notice by USPS first class mail, to the owners of all property within 250 feet in each direction of the lot lines of the subject property, the boundaries of which are:

West Division Street; North Ashland Avenue; a line 122.25 feet south of West Division Street; and a line 149.04 feet west of North Ashland Avenue

exclusive of public roads, streets, alleys and other public ways, or a total distance limited to 400 feet, and that the notice contained the address and description of the property which is the subject of the application under the Chicago Zoning Ordinance; a statement of the intended use of said property; the name and address of the applicant; and a statement that the applicant intends to file said application on approximately September 2, 2013; that the applicant has made a bona fide effort to determine the addresses of the parties to be notified under the cited section of the Municipal Code of the City of Chicago; that the applicant certifies that the accompanying list of names and addresses of surrounding property owners within 250 feet, recognizing the above limits, is a complete list containing the names and last know addresses of the owners of the property required to be served and that the applicant has fumish^djri^djtion a list of the persons so served.

By:

Subscribed and sworn to before me this September 2, 2013.

Notary Public

"OFFICIAL SEAL" MABEL V. ORAMA Notary Public, State of Illinois My Commission Expires 08/06/14

September 2, 2013

Dear Sir or Madam:

Please take notice that under the Chicago Zoning Ordinance an application (the "Application") to

change the RM6.5 Residential Multi-Unit District classification to those of a B3-5 Community Shopping District for the area which is bounded by:

West Division Street; North Ashland Avenue; a line 122.25 feet south of West Division Street; and a line 149.04 feet west of North Ashland Avenue

(hereafter the "Property") will be filed on or about September 2, 2013 with the Department of Housing and Economic Development, City of Chicago by 1601 West Division LLC, 1910 W. Division St., Chicago, IL 60622 (hereinafter the "Applicant"). The addresses of the Property are 1601 - 15 West Division Street/1148 - 56 North Ashland Avenue, Chicago, IL. The Applicant is the owner of the Property.

The Property currently is improved with a twelve story building containing 99 residential units, ground floor retail space, including a bank drive-thru, second floor retail/office space, 15 shared parking spaces and one loading berth. The Application, if approved, will allow the Applicant to provide adequate signage for the retail and office tenants.

This notice is required by the Chicago Zoning Ordinance, Title 17, Section 17-13-0107-A of the Municipal Code of Chicago. It is being sent to you because you appear as a taxpayer of record within 250 feet of the Property. The Application will not rezone your property. Any questions regarding this notice may be direct to the undersigned at 312-636-6937.

Sincerely

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: 1601 West Division 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:
- 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: 1910 West Division St.

Chicago, IL 60622

C. Telephone: 312-636-6937 p_{ax:} 312-253-4440 Email: rolando@acostalawpc.com

<mailto:rolando@acostalawpc.com>

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D. Name of contact person: Rolan	do R. Acosta
E. Federal Employer Identification	n No. (if you have one):
F. Brief description of contract, (Include project number and locat	transaction or other undertaking (referred to below as the "Matter") to which this EDS pertains. ion of property, if applicable):
Rezoning of 1601 - 15 West Di	ivision Street/1148 - 56 North Ashland Avenue
G. Which City agency or depart	tment is requesting this EDS? DHED
If the Matter is a contract being	g handled by the City's Department of Procurement Services, please complete the following:
Specification #	and Contract #
Specification #	and Contract #
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- DISCLOSURE OF OWNERSHIP INTERESTS A. MATURE OF THE DISCLOSING PARTY

 Indicate the nature of t 	he Disclosing Party	r:] Person f>
J Publicly registered busines	s corporation	
J Privately held business con	poration	
] Sole proprietorship		
J General partnership		(
J Limited partnership		
		X] Limited liability company [] Limited liability partnership [] Joint venture [] Not-for-
		profit corporation (Is the not-for-profit corporation also a 501(c)(3))?
] Trust [
[] Yes	[] No	
		[j Other (please specify)

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

Illinois

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

(XI N/A

U. 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.

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Name Title				
1601 West Division Man	nager LLC Manager			
			ing a direct or indirect beneficial interest (including ownersh in a corporation, partnership interest in a partnership or join	
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"None." NOTE: Pursuant		ipal Code of Chicago ("M	ciary of a trust, estate or other similar entity. If none, state funicipal Code"), the City may require any such additional e.	
Name	Business Address	Percentage Int Disclosing Pa		
1601 West Division Foun	der LLC 1910 W. Division St., Ch	icago, IL 60622	<u>25.36%</u>	
2300 Partners, LLC	2300 S. Archer Ave., C	Chicago, IL 60616	14.49%	
Wendy M. Serrino	130 Beach Rd., Glenco	e, fL 60022 8.70%		
SECTION III - BUSINE	SS RELATIONSHIPS WITH C	ITY ELECTED OFFIC	IALS	
Has the Disclosing Par 12 months before the date		as defined in Chapter 2-1;	56 of the Municipal Code, with any City elected official in	the
[J Yes	[xj No			
If yes, please identify belo	ow the name(s) of such City elected	l official(s) and describe s	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 M atter, 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.

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than: (1) a not-for-profit entity	, on an unpaid		ve or administrative action on behalf of any person neans any person or entity any part of whose duties tive action.	•
If the Disclosing Party is undisclosure is required or make			ection, the Disclosing Party must either ask the City	whether
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Name (indicate whether retained or anticipated to be retained)	Business Address	Relationship to Disclosing Party (subcontractor, attorney, lobbyist, etc.)	y Fees (indicate whether paid or estimated.) NOTE: "hourly rate" or "t.b.d." is not an acceptab	le response.
Rolando R. Acosta 2949 W	. Gregory St.	, Chicago, IL 60625 Atty	\$5,000 (est)	
(Add sheets if necessary)				
[] Check here if the Disc	closing Part	y has not retained, nor expects	to retain, any such persons or entities. SE	CCTION V -
CERTIFICATIONS				
A. COURT-ORDERED C	HILD SUPPO	ORT COMPLIANCE		
*		415, substantial owners of business gations throughout the contract's te	s entities that contract with the City must remarm.	in in
Has any person who directl obligations by any Illinois of			sing Party been declared in arrearage on any ch	nild support

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

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

L J Yes L j 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.

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- 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. arc 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. arc not presently indicted for, or criminally or civilly charged by, a governmental entity (federal, state or local) with committing any of the offenses set forth in clause B.2.b. of this Section V;
- d. have not, within a five-year period preceding the date of this EDS, had one or more public transactions (federal, state or local) terminated for cause or default; and
- c. have not, within a five-year period preceding the date of this EDS, been convicted, adjudged guilty, or found liable in a civil proceeding, or in any criminal or civil action, including actions concerning environmental violations, instituted by the City or by the federal government, any state, or any other unit of local government.
- 3. The certifications in subparts 3, 4 and 5 concern:
- the Disclosing Party;
- any "Contractor" (meaning any contractor or subcontractor used by the Disclosing Party in connection with the Matter, including but not limited to all persons or legal entities disclosed under Section IV, "Disclosure of Subcontractors and Other Retained Parties");
- any "Affiliated Entity" (meaning a person or entity that, directly or indirectly: controls the Disclosing Party, is controlled by the Disclosing Party, or is, with the Disclosing Party, under common control of another person or entity. Indicia of control include, without limitation: interlocking management or ownership; identity of interests among family members, shared facilities and equipment; common use of employees; or organization of a business entity following the ineligibility of a business entity to do business with federal or state or local government, including the City, using substantially the same management, ownership, or principals as the ineligible entity); with respect to Contractors, the term Affiliated Entity means a person or entity that directly or indirectly controls the Contractor, is controlled by it, or, with the Contractor, is under common control of another person or entity;
- any responsible official of the Disclosing Party, any Contractor or any Affiliated Entity or any other official, agent or employee of the

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

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

- a. bribed or attempted to bribe, or been convicted or adjudged guilty of bribery or attempting to bribe, a public officer or employee of the City, the State of Illinois, or any agency of the federal government or of any state or local government in the United States of America, in that officer's or employee's official capacity;
- b. agreed or colluded with other bidders or prospective bidders, or been a party to any such agreement, or been convicted or adjudged guilty of agreement or collusion among bidders or prospective bidders, in restraint of freedom of competition by agreement to bid a fixed price or otherwise: 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 Funics) of the Municipal Code.
- 7. If the Disclosing Party is unable to certify to any of the above statements in this Part B (Further Certifications), the Disclosing Party must explain below:

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If the letters "N A," 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 [Xj 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):
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If the letters "NA," the wo Disclosing Party certified		pears on the lines above, it will be conclusively presumed that the
D. CERTIFICATION REC	GARDING INTEREST IN C	ITY BUSINESS
Any words or terms that an D.	re defined in Chapter 2-156 o	f the Municipal Code have the same meanings when used in this Part
		unicipal Code: Does any official or employee of the City have a financial ther person or entity in the Matter?
NOTE: If you checked "Y	es" to Item D.l., proceed to I	tems D.2. and D.3. If you checked "No" to Item D.1., proceed to Part E.
have a financial interest in belongs to the City, or (ii)	his or her own name or in the is sold for taxes or assessmer npensation for property taken	e bidding, or otherwise permitted, no City elected official or employee shall en ame of any other person or entity in the purchase of any property that (i) ints, or (iii) is sold by virtue of legal process at the suit of the City (collectively, a pursuant to the City's eminent domain power docs not constitute a financial
Docs the Matter involve a	City Property Sale?	
L J Yes	[] No	
3. If you checked "Ye such interest and identify t	· · · · · · · · · · · · · · · · · · ·	ames and business addresses of the City officials or employees having
Name	Business Address	Nature of Interest
4. The Disclosing Part or employee.	y further certifies that no pro	ohibited financial interest in the Matter will be acquired by any City official
E. CERTIFICATION REG	GARDING SLAVERY ERA	BUSINESS
	or 2. below. If the Discle information required by para	
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comply with these disclosure requirements may make any contract entered into with the City in connection with the Matter voidable by the City.
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 of

grant, loan, or cooperative agreement.

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employee of any agency, as defined by applicable federal law, a member of Congress, an officer or employee of Congress, or an employee of 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,

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3. The Disclosing Party will submit an updated certification at the end of each calendar quarter in which there occurs any event that materially affects the accuracy of the statements and information set forth in paragraphs A.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. CER TIFICATION 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 L J 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 L J No
2. Have you filed with the Joint Reporting Committee, the Director of the Office of Federal Contract Compliance Programs, or the Equal Employment Opportunity Commission all reports due under the applicable filing requirements? [] Yes L J 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 I. or 2. above, please provide an explanation:
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SECTION VII -- ACKNOWLEDGMENTS, CONTRACT INCORPORATION, COMPLIANCE, PENALTIES, DISCLOSURE

The Disclosing Party understands and agrees that:

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

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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- 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 chargeowed 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.

1601 West Division LLC

(Print or type name of Disclosing Party)

J (Sign here/ Robert Buono (Print or type name of person signing)

Manager of Manager, 1601 West Division Manager LLC (Print or type title of person signing) at Cook (state).

Signed and swom to before me on (date) n II5H3

County,: "inois

Commission expires:

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CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT APPENDIX A

FAMILIAL RELATIONSinPS 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 LXJ 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.

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CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND ${\bf AFFIDAVIT}$

SECTION I - GENERAL INFORMATION

A. Legal name of the Disclosing Party submitting this EDS. Include d/b/a/ if applicable: 1601 West Division Manager LLC

Check ONE of the following three boxes:

Indicate whether the Disclosing Party submitting this EDS is:

1. [] the Applicant

OR

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

OR

File #: O2013-6091, Version: 1		
3. [X] a legal entity with a right of contro which the Disclosing Party holds a right of		
B. Business address of the Disclosing Party:	1910 W. Div Chicago, IL (
C. Telephone: 312-636-6937 p _{av}	s: 312-253-4440	Email: rolando@acostalawpc.com <mailto:rolando@acostalawpc.com></mailto:rolando@acostalawpc.com>
D. Name of contact person: Rolando R. Acos	ta	
E. Federal Employer Identification No. (if yo	ou have one):	
F. Brief description of contract, transaction number and location of property, if applicable	• •	red to below as the "Matter") to which this EDS pertains. (Include project
Rezoning of Lhe property at 1601-15 West	Division Street/1148 - 56 N	orth Ashland Avenue
G. Which City agency or department is reque	esting this EDS? DHED	
If the Matter is a contract being handled by	y the City's Department of I	Procurement Services, please complete the following:
Specification #	and Contract #	<u> </u>
Page 1 of 13	VALEDOHID INTEDES	
SECTION II DISCLOSURE OF OV A. NATURE OF THE DISCLOSING PA		S
1. Indicate the nature of the Disclosing [J Publicly registered business corporation [] Privately held business corporation [] Sole proprietorship [J General partnership L J Yes [JNo [] Other (please specific partnership [] Limited partnership [] Trust [on [pility company [j Limited liability partnership [] Not-for-profit corporation also a 501(c)(3))?
2. For legal entities, the state (or fore	ign country) of incorpora	tion 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?

M 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

Robert Buono Manager Paul Utigard Manager Mark Fisliman 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,

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

Robert Buono 1910 W. Division St., Chicago, IL 60622 33.33% Paul Utigard 33.33%

Mark Fishman 3215 West Fullerton, Chicago, IL 60647 33.33%

SECTION III - BUSINESS RELATIONSHIPS WITH CITY ELECTED OFFICIALS

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

[j Yes Lxl No

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

SECTION IV -- DISCLOSURE OF SUBCONTRACTORS AND OTHER RETAINED PARTIES

The Disclosing Party must disclose the name and business address of each subcontractor, attorney, lobbyist, accountant, consultant and any other person or entity whom the Disclosing Party has retained or expects to retain in connection with the M atter, 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.

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than: (1) a not-for-profi	t entity, on an	-	y legislative or administrative action on behalf of any person or entity of yist" also means any person or entity any part of whose duties as an administrative action.	ther
If the Disclosing Pa disclosure is required o	-	-	der this Section, the Disclosing Party must either ask the City whether	
		Page 3 of 13		
Name (indicate whe retained or anticipa to be retained)		<u>-</u>	ring Party Fees (indicate whether ey, paid or estimated.) NOTE: "hourly rate" or "t.b.d." is not an acceptable response	se.
(Add sheets if necess	ary)			
[X] Check here if t	he Disclosing	g Party has not retained, nor o	expects to retain, any such persons or entities. SECTION	V -
CERTIFICATIONS	S			
A. COURT-ORDER	ED CHILD S	SUPPORT COMPLIANCE		
		2-92-415, substantial owners of but obligations throughout the contra	business entities that contract with the City must remain in atract's term.	
		directly owns 10% or more of the f competent jurisdiction?	e Disclosing Party been declared in arrearage on any child suppo	rt
[] Yes	[X No	[J No person directly or indirect Disclosing Party.	ectly owns 10% or more of the	
If "Yes," has the pers with that agreement?	on entered in	to a court-approved agreement fo	or payment of all support owed and is the person in compliance	
[j Yes	L J No			

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B. FURTHER CERTIFICATIONS

1. Pursuant to Municipal Code Chapter 1-23, Article 1 ("Article 1")(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 five-year compliance timeframes in certifications 2 and 3 below.

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- 2. The Disclosing Party and, if the Disclosing Party is a legal entity, all of those persons 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

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

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

- a. bribed or attempted to bribe, or been convicted or adjudged guilty of bribery or attempting to bribe, a public officer or employee of the City,
 the State of Illinois, or any agency of the federal government or of any state or local government in the United States of America, in that
 officer's or employee's official capacity;
- 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
- made an admission of such conduct described in a. or b. above that is a matter of record, but have not been prosecuted for such conduct;
 or
- d. violated the provisions of Municipal Code Section 2-92-610 (Living Wage Ordinance).
- 4. Neither the Disclosing Party, Affiliated Entity or Contractor, or any of their employees, officials, agents or partners, is barred from contracting with any unit of state or local government as a result of engaging in or being convicted of (1) bid-rigging in violation of 720 ILCS 5/33E -3; (2) bid-rotating in violation of 720 ILCS 5/33E-4; or (3) any similar offense of any state or of the United States of America that contains the same elements as the offense of bid-rigging or bid-rotating.
- 5. Neither the Disclosing Party nor any Affiliated Entity is listed on any of the following lists maintained by the Office of Foreign Assets Control of the U.S. Department of the Treasury or the Bureau of Industry and Security of the U.S. Department of Commerce or their successors: the Specially Designated Nationals List, the Denied Persons List, the Unverified List, the Entity List and the Debarred List.
- 6. The Disclosing Party understands and shall comply with the applicable requirements of Chapters 2-55 (Legislative Inspector General), 2-56 (Inspector General) and 2-156 (Governmental Ethics) of the Municipal Code.
- 7. If the Disclosing Party is unable to certify to any of the above statements in this Part B (Further Certifications), the Disclosing Party must explain below:

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If the letters "N A," 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):

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If the letters "NA," the word ' Disclosing Party certified to t	1 11	n the lines above, it will be conclusively presumed that the
D. CERTIFICATION REGA	RDING INTEREST IN CITY BU	JSINESS
Any words or terms that are dD.	defined in Chapter 2-156 of the M	unicipal Code have the same meanings when used in this Part
interest in his or her own nam	ection 2-156-110 of the Municipal ne or in the name of any other pers be] No	Code: Does any official or employee of the City have a financial son or entity in the Matter?
NOTE: If you checked "Yes'	" to Item D.l., proceed to Items D.	2. and D.3. If you checked "No" to Item D.l., proceed to Part E.
have a financial interest in his belongs to the City, or (ii) is s	s or her own name or in the name sold for taxes or assessments, or (in ensation for property taken pursua	g, or otherwise permitted, no City elected official or employee shall of any other person or entity in the purchase of any property that (i) (iii) is sold by virtue of legal process at the suit of the City (collectively, nt to the City's eminent domain power does not constitute a financial
Does the Matter involve a Cit	ty Property Sale?	
[] Yes [[] No	
3. If you checked "Yes" such interest and identify the		nd business addresses of the City officials or employees having
Name 1	Business Address	Nature of Interest
4. The Disclosing Party for employee.	further certifies that no prohibited	I financial interest in the Matter will be acquired by any City official
E. CERTIFICATION REGA	RDING SLAVERY ERA BUSIN	ESS
	r 2. below. If the Disclosing P formation required by paragraph 2	arty checks 2., the Disclosing Party must disclose below or in an
	Pa	age 8 of 13

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

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	Il submit an updated certification at the end of each calendar quarter in which there occurs any event that materially ements and information set forth in paragraphs A.l. and A.2. above.
	ertifies that cither: (i) it is not an organization described in section 501 (c)(4) of the Internal Revenue Code of 1986; or sed in section 501(c)(4) of the Internal Revenue Code of 1986 but has not engaged and will not engage in "Lobbying".
through A.4. above from all sul	is the Applicant, the Disclosing Party must obtain certifications equal in form and substance to paragraphs A.l. becontractors before it awards any subcontract and the Disclosing Party must maintain all such subcontractors' f the Matter and must make such certifications promptly available to the City upon request.
B. CERTIFICATION REGAR	DING EQUAL EMPLOYMENT OPPORTUNITY
-	d, federal regulations require the Applicant and all proposed subcontractors to submit the following n writing at the outset of negotiations.
Is the Disclosing Party the App	plicant?
L J Yes	[] No
If "Yes," answer the three ques	tions below:
	d do you have on file affirmative action programs pursuant to applicable federal regulations? (Sec 41 CFR Part 60-
2.) L] Yes	[] No
•	e Joint Reporting Committee, the Director of the Office of Federal Contract Compliance Programs, or the Equal mission all reports due under the applicable filing requirements? [] No
3. Have you participated [J Yes	in any previous contracts or subcontracts subject to the equal opportunity clause? [] No
If you checked "No" to question	on 1. or 2. above, please provide an explanation:
	Page 10 of 13

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

The Disclosing Party understands and agrees that:

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

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

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

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

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

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

The Disclosing Party represents and warrants that:

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

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

CERTIFICATION

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

1601 West Division Manager LLC

(Print or type name of Disclosing Party)

fsign here) '

Robert Buono

(Print or type name of person signing)

Manager

(Print or type title of person signing)

Signed and swom to before me on (date)

at Cook County,: "inois (state).

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Commission expires:

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CITY OK 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	Mo
--------	----	----

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.

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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: 1601 West

Division Founder LLC

Check ONE of the following three boxes:

Indicate whether the Disclosing Party submitting this EDS is:

1. [] the Applicant

OR

- 2. [) J 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: 1601 West Division LLC
- 3. [] a legal entity with a right of control (see Section II.B.l.) State the legal name of the entity in which the Disclosing Party holds a right of control:
- B. Business address of the Disclosing Party: 1910 W. Division St.

Chicago, IL 60622

C. Telephone: 312-636-6937 Fax: 312-253-4440 Email: rolando@acostalawpc.com

<mailto:rolando@acostalawpc.com>

D. Name of contact person: Rolando R. Acosta

- 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):

Rezoning of the property at 1601 - 15 West Division Street/1148 - 56 North Ashland Avenue

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

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

File #: O2013-6091, Version: 1	
Specification #	and Contract #
A. NATURE OF THE DISCLOSING	PARTY 1. Indicate the
nature of the Disclosing Party: Person Publicly registered business corporation Sole proprietorship General partnership Limited partnership Trust	
2. For legal entities, the state (or f	oreign country) of incorporation or organization, if applicable: Illinois
3. For legal entities not organized Illinois as a foreign entity?	in the State of Illinois: Has the organization registered to do business in the State of
[J Yes [] No	[Xj N/A
B. IF THE DISCLOSING PARTY IS	A LEGAL ENTITY:
corporations, also list below all members." For trusts, estates or other If the entity is a general partnership venture, list below the name and title of	itles of all executive officers and all directors of the entity. NOTE: For not-for-proficers, if any, which are legal entities. If there are no such members, write "no similar entities, list below the legal titleholder(s). b, limited partnership, limited liability company, limited liability partnership or joint of each general partner, managing member, manager or any other person or entity ent of the Disclosing Party. NOTE: Each legal entity listed below must submit an
Name Title	
Norwol Corporation Manager	

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

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interest of a memoer or manager in a limited naonny company, or interest or a oenenciary 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

Newgard Development LLC 33.00% 2004 Robert Buono Irrevocable Trust 16.50% 2004 Elizabeth Cicchelli Irrevocable Trust 16.50%

Westgate Acquisitions LLC 3215 W. Fullerton, Chicaog, IL 60647 33.00%

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 W 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: (!) a not-for-profit entity, on an unpaid basis, or (2) himself. "Lobbyist" also means

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any person or entity or administrative ac	• 1	nose duties as an employee of another includes undertaking to influence any legislative
		ain whether a disclosure is required under this Section, the Disclosing Party must ure is required or make the disclosure.
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Name (in disease sum		
,		retained or anticipated Address to be retained) ubcontractor, attorney, lobbyist, etc.)
_		nated.) NOTE: "hourly rate" or "t.b.d." is not an acceptable response.
(Add shoots if nooss	aam.)	
(Add sheets if neces	sary)	
[Xj Check here if	the Disclosin	g Party has not retained, nor expects to retain, any such persons or entities.
SECTION V - CEF	RTIFICATION	NS
A. COURT-ORDE	RED 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	[>] No	[] No person directly or indirectly owns 10% or more of the Disclosing Party.
If "Yes," has the per compliance with tha		to a court-approved agreement for payment of all support owed and is the person in
[]Yes	[] No	
B. FURTHER CER	TIFICATIONS	S

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.

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

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

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

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iNeitner the Disclosing f any, nor any contractor, nor any Aiiinatea tintity of eitner the Disclosing rarty or any Contractor nor any Agents have, during the five years before the date this CDS 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:

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 [Xj 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):

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	ord "None," or no response a sing Party certified to the abo	ppears on the lines above, it will be conclusively we statements.
D. CERTIFICATION RE	GARDING INTEREST IN	CITY BUSINESS
Any words or terms that a used in this Part D.	are defined in Chapter 2-156	of the Municipal Code have the same meanings when
		Iunicipal Code: Does any official or employee of the City have a e of any other person or entity in the Matter?
NOTE: If you checked "Part E.	Yes" to Item D.l., proceed to	Items D.2. and D.3. If you checked "No" to Item D. 1., proceed to
employee shall have a fin purchase of any property legal process at the suit o	ancial interest in his or her o that (i) belongs to the City, of the City (collectively, "City	re bidding, or otherwise permitted, no City elected official or wn name or in the name of any other person or entity in the rr (ii) is sold for taxes or assessments, or (iii) is sold by virtue of Property Sale"). Compensation for property taken pursuant to the ancial interest within the meaning of this Part D.
Does the Matter involve a	a City Property Sale?	
[] Yes	[] No	
	es" to Item D.l., provide the nature	names and business addresses of the City officials or of such interest:
Name	Business Address	Nature of Interest
4. The Disclosing Par City official or employee	-	prohibited financial interest in the Matter will be acquired by any
E. CERTIFICATION RE	GARDING SLAVERY ERA	A BUSINESS

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

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comply wnn mese aisciosure requirements may make any contract enterea into with the uity 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 member of Congress, in connection with the award of any federally funded contract, making any federally funded grant or loan, entering into any cooperative agreement, or to extend, continue, renew, amend, or modify any federally funded contract, grant, loan, or cooperative agreement.

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3. The Disclosing Party will submit an updated certification at the end of each calendar quarter in which there occurs any event that materially affects the accuracy of the statements and information set forth in paragraphs A.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 M atter 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 [J No
3. Have you participated in any previous contracts or subcontracts subject to the equal opportunity
clause? [] Yes [] No
Tf you checked "No" to question 1. or 2. above, please provide an explanation:

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

The Disclosing Party understands and agrees that:

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

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

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

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

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

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

The Disclosing Party represents and warrants that:

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

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

CERTIFICATION

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

1601 West Division Founder LLC (Print or type name

ofj^isclosmg Party)

$$\underline{By: 'rZ[^{-}]}_{\text{(S'ignhere)'} ^T}$$

Robert Buono

(Print or type name of person signing)

President of Manager, Nonvol: Corporation (Print or type title of person signing)

Signed and sworn to before me on (date) ~7 I <Sj 13 at Cook County,; Illinois (state).

7^7- Notary Public.

Commission expires:

"OFFICIAL SEAL" I My Cumwimgn BHwawOOW

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?

[J 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.

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	CITY OF CHICAG	GO ECONOMIC DISCLOSURE S1A1EMENI AND AFFIDAVIT
SECTION I - GENERAL INFORMA	TION	
A. Legal name of the Disclosing Party	y submitting this EDS. Include	de d/b/a/ if applicable: 2004 Robert Buono Irrevocable Trust
Check ONE of the following three bo	xes:	
Applicant in which the Disclosing OR	ct oi indirect intciest in the A Patty holds an interest:	The Applicant OR applicant. State the legal name of the 1601 West Division LLC State the legal name of the entity in
which the Disclosing Party holds	a right of control:	
B. Business address of the Disclosing	•	Division Si. o, IL 60622
	Smeng	-, - <u>-</u>
C. Telephone: 312-636-6937	_{taK} . 312-253-4440	Email: rolando@acostalawpc.COm <mailto:rolando@acostalawpc.com></mailto:rolando@acostalawpc.com>
D Name of contact peison: Rolando F	t. Acosta	
E. Federal Employer Identification No	o. (if you have one):	
F Brief description of contiact, transac number and location of property, if ap		efened to below as the "Matter") to which this EDS pertains . (Include project
Rezoning of the property at 1601 - 15	West Division Street/1148 -	· 56 North Ashland Avenue
G Which City agency or department is	s requesting this EDS? VrLb	U
If the Matter is a contiact being har	ndled by the City's Departme	ent of Procurement Services, please complete the following:
Specification it	and Contia	ct #
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Page 1 of 13 SECTION II - DISCLOSURE OF OWNERSHIP INTERESTS

[] Other (please specify)

A NATURE OF THE DISCLOSING PARTY

[] Limited liability company [] Limited liability paitneiship [] loint venture [] Not-foi-profit coipoiation (Is the not-foi-piofit corporation also a 501(c)(3))?

[] Limited partnership

I Indicate the natiuc of the Disclosing Patty: [] Peison [[j Publicly registered business corporation [[] Privately held business coipoiation [[] Sole proprietorship [[] General partnership (I

|XJ Trust [[] Yes

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f 1 No

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2 For legal en tities, the state (oi foreign country) of incorporation oi 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?
t]Yes
B IF IHE 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-foi-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 litlcholdcr(s). If the entity is a general paitneiship, 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 oi entity that controls the day-to-day management of the Disclosing Patty NOTE: Each legal entity listed below must submit an EDS on its own behalf
Name Title
James J. Gatziolis Trustee
2. Please provide the following information concerning each person oi entity having a direct or indirect beneficial interest (including owneiship) 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 1.3

interest of a membei or manager in a limited liability company, oi 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

El j aaheth Cicchelli LQOJs.

SECTION III - BUSINESS RELATIONSHIPS WITH CITY ELECTED OFFICIALS

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Has the Disclosing Party had a "business relationship," as defined in Chapter 2-J56 of the Municipal Code, with any City elected official in th 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):
SECIION IV - DISCLOSURE OF SUBCONTRACTORS AND OTHER RETAINED PARTIES
The Disclosing Party must disclose the name and business addr ess of each subcontractor, attorney, lobbyist, accountant, consultant and any othe person or entity whom the Disclosing Party has retained or expects to retain in connection with the Mattel, 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 of administrative action
If the Disclosing Patty 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 Parly 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 it necessary)

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

CERTIFICATIONS

A COURI-ORDERED CHILD SUPPORT COMPLIANCE

	•	n 2-92-415, substantial owners of business entities that contract with the City must remain in compliance with their out the contract's tetm.
Has any peison w any Illinois court	•	directly owns 10% or more of the Disclosing Party been declared in arrearage on any child support obligations by risdiction?
[] Yes	[>§ No	[] No peison directly or indirectly owns 10% or moie of the Disclosing Party
If "Yes," has the pagreement?	person entered in	nto a court-approved agreement for payment of all support owed and is the person in compliance with that
[] Yes	[] No	
B. FURTHER CE	ERTIFICATION	IS .

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 Patty certifies as follows: (i) neither the Applicant nor any controlling peison is currently indicted or chaiged with, or has admitted guilt ol, or has evei been convicted of. or placed under supervision for, any criminal offense involving actual, attempted, or conspiracy to commit bribery, theft, fraud, forgery, per jury, 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 Aiticle 1 applies to the Applicant, the permanent compliance timeframe in Aiticle I supersedes some five-year compliance timeframes in certifications 2 and 3 below.

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- 2 The Disclosing Patty and. if the Disclosing Party is a legal entity, all of those persons 01 entities identified in Section II B 1. of this EDS:
- a. ate not presently debarred, suspended, proposed foi 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 tendered against them in connection with: obtaining, attempting to obtain, or performing a public (federal, state oi local) transaction or contract under a public transaction; a violation of federal or state antitrust statutes; fraud; embezztement; theft; forgety; bribery; falsification or destruction of records; making false statements; or receiving stolen property;
- c. are not presently indicted for, or criminally oi 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, oi 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 oi legal entities disclosed under Section IV, "Disclosure of Subcontractors and Other Retained Parties");
- any "Affiliated Entity" (meaning a peison 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 abusiness entity following the ineligibility of abusiness entity lo 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")..

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Neither the Disclosing Patty, nor any Contractor, nor any Affiliated Entity of either the Disclosing Party oj 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 Contractor during the five years before the date of such Contractor's ot 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 oi collusion among bidders or prospective bidders, in restraint of freedom of competition by agieement to bid a fixed price or other wise; or
- 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, off icials, 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 (J) bid-rigging in violation of 720 ILCS 5/33E -.3; (2) bid-rotating in violation of 720 ILCS 5/3.3E-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 r equirements of Chapters 2-55 (Legislative Inspector General), 2-56 (Jnspectoi 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 Disclosic explain below:	ng Patty must	

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If the letters "N A," 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 Patty's knowledge after reasonable inquiiy, the following is a complete list o[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 inquiiy, 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 couise 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. f J is JX) 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 piedatory lender as defined in Chapter 2-32 of the Municipal Code. We understand that becoming a piedatory lender or becoming an affiliate of a predatory lender rnay 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):

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If the letters "NA," the woid "None," or no response appears on the lines above, it will be conclusively ptesurned that the Disclosing Party certified to the above statements	
D. CERTIFICATION REGARDING TNIEREST 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.	
I In accordance with Section 2-156-110 of the Municipal Code: Does any official or employee of the City have a f inancial interest in his own name or in the name of any other person or entity in the Matter? [] Yes No	ot her
NOTE: Il you checked "Yes" to Item D.1, proceed ro Items D 2 and D.3. If you checked "No" to Item D I 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 final interest in his or hei own name or in the name of any other person or entity in the purchase of any proper ly thai (i) belongs to the City, or (ii) 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.	s sold
Does the Matter involve a City Property Sale?	
[JYes []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 aridentify the nature of such interest:	ιd
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 J., or 2, below. If the Disclosing Party checks 2,, the Disclosing Party must disclose below or in an attachment to the	is EDS
all information required by paragraph 2 Failure to Page 8 of 13	

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comply with these disclosure requirements may make any contiact entered into with the City in connection with the Matter voidable by the City.
X 1. The Disclosing Parly verifies that the Disclosing Party has searched any and all records of
the Disclosing Party and any and all predecessor entities regarding records of investments or profits from slavery or slaveholder insurance policies during the slavery era (including insurance policies issued to slaveholders that provided coverage for damage to or injury or death of their slaves), and the Disclosing Parly has found no such records
2. 1 he 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 oi slaveholders described in those records:
SECTION VI CERT IFICATIONS FOR FEDERALLY FUNDED MAI IERS
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 arc 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 Mailer: (Add sheets if necessary):
(If no explanation appeats oi begins on the lines above, or if the letteis "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 of 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 oi entity listed in Paragraph A 1. above for his or her lobbying activities or to pay any peison 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 contiact, making any federally funded giant or loan, entering into any cooperative agreement, or to extend, continue, renew, amend, or modify any federally funded contiact, giant, loan, or coopeiative agreement. Page 9 of 13

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	y will submit an updated cetiification at the end of each calendat quarter in which there occur s any event that materially estatements and information set forth in paragraphs A.l. and A.2 above
	tty certifies that cither: (i) it is not an organization desciibed in section 501(c)(4) of the internal Revenue Code of 1986; or esciibed in section 501(c)(4) of the Internal Revenue Code of 1986 but has not engaged and will not engage in "Lobbying".
through A 4. above from a	Patty is the Applicant, the Disclosing Party must obtain certifications equal in form and substance to paragraphs A.l. all subcontractors before it awards any subcontract and the Disclosing Party must maintain all such subcontractors' tion of the Matter and must make such certifications promptly available to the City upon request.
B. CERTIFICATION RE	GARDING EQUAL EMPLOYMENT OPPORTUNITY
	funded, federal regulations require the Applicant and all proposed subcontractors to submit the following information ag at the outset of negotiations
Is the Disclosing Patty the	e Applicant?
[] Yes	[] No
If "Yes," answer the three	questions below:
1. Have you developed a	and do you have on file affirmative action programs pursuant to applicable
federal regulations? (See	41 CFR Part 60-2.)
[] Yes	[] No
	th the Joint Reporting Committee, the Director of the Office of Federal Contract Compliance Programs, or the Equal Commission all reports due under the applicable filing requirements? [] No
3 Flave you paiticipa [J Yes	ated in any previous contracts or subcontracts subject to the equal opportunity clause? [] No
If you checked "No" to qu	estion 1. or 2. above, please provide an explanation :
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SECTION VII-- ACKNOWLEDGMENTS, CONTRACT INCORPORATION, COMPLIANCE, PENALTIES, DISCLOSURE

The Disclosing Party imdeistands and agrees that:

- A. The certifications, disclosures, and acknowledgments contained in this EDS will become part of any contract oi other agreement between the Applicant and the City in connection with the Matter, whether procurement, City assistance, ot 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.cityo.rchicaRO.ore/Elhics http://www.cityo.rchicaRO.ore/Elhics, 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 conti act or agreement (if not rescinded or void), at law, or in equity, including terminating the Disclosing Party's participation in the Mattel 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 ol 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 Mattel If the Matter is a contract being handled by the City's Department of Procurement Services, the Disclosing Party must update this EDS as the contract requires. NOTE: With respect to Matters subject to Article I of Chapter 1-23 of the Municipal Code (imposing PERMANENT INELIGIBILITY for certain specified offenses), the information provided herein regarding eligibility must be kept current for a longer period, as required by Chapter 1-23 and Section 2-154-020 of the Municipal Code.

The Disclosing Party represents and warrants that:

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- r.i. The Disclosing Patty is not delinquent in the payment of any tax administexed by the Illinois Department of Revenue, nor are the Disclosing Party of its Af filiated 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 theii subcontractors to use, any facility listed by the USE 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 oi cannot provide truthful certifications.

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

CERTIFICATION

Under penalty of pet jury, 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.

2004 Robert Buono Irrevocable Trust

James J. Gatziolis (Print oi type name of pet son signing)

Trustee (Print or type title of person signing)

Signed and swom to before mc on (date) ut Cook County, Illinois

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CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT. AND AFFIDAVIT APPENDIX A

FAMILIAL RELATIONSHIPS WITH ELECTED CITY OFFICIALS AND DEPARTMENT HEADS

This Appendix is to be completed only by (a) the Applicant, and (b) any legal entity which has a direct ownership interest in the Applicant exceeding 7,5 percent It is not to be completed by any legal entity which has only an indirect ownership interest in the Applicant.

Under Municipal Code Section 2-154-015, the Disclosing Party must disclose whether such Disclosing Party or any "Applicable Party" or any Spouse of Domestic .Partner thereof currently has a "familial relationship" with any elected city official of department head. A "familial relationship" exists if, as of The date this EDS is signed, the Disclosing Party or any "Applicable Patty" or any Spouse or Domestic Partner thereof is related to the mayor, any alderman, the city cleik, the city heasurei 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, gr andchild, father-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 paitners 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 cunently have a "familial relationship" with an elected city official ot department head?

File #: O2013-6091, V e	rsion: 1				
[] Yes	[X] No				
	ow (1) the name and title of such city official or department head t				
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	CVTTV				
	CITY	OF CHICAGO EC	ONOMIC DISCLO ND AFFIDAVIT	JSUKE ST	ATEMENT
SECTION T - GENERAL	INFORMATION				
A. Legal name of the Disc	closing Party submitting this I	EDS. Include d/b/a/	if applicable: 2004	Elizabeth	Cicchelli
Irrevocable Trust					
Check ONE of the following	ng three boxes:				
2 [) <j a="" entity="" ho<="" legal="" td=""><td>osing Paity submitting this E olding a direct oi indirect inter Disclosing Party holds an int</td><td>rest in the Applicant</td><td>. State the legal na</td><td>me of the</td><td></td></j>	osing Paity submitting this E olding a direct oi indirect inter Disclosing Party holds an int	rest in the Applicant	. State the legal na	me of the	
	E.B.L) State the legal name of arty holds a right of control:	the entity in		. [] a	legal entity with a right of
B Business address of the	Disclosing Party:	1610 W. Division Chicago, IL 6062			
C. Telephone: <mailto:rolando@acostal< td=""><td>312-636-6937 awpc.com></td><td>p_{ax}:</td><td>312-253-4440</td><td>Email:</td><td>rolandO@acostalawpc.com</td></mailto:rolando@acostal<>	312-636-6937 awpc.com>	p _{ax} :	312-253-4440	Email:	rolandO@acostalawpc.com
D Name of contact person	: Rolando R_ Acosta				
£. federal Employer Identi	fication No (if you have one)	:			

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F Brief description of contiact, transacti (Include project number and location of		eferred to below as the "Matter") to which this EDS pertains
Rezoning of the property at 1601 - 15	West Division Street/1148	- 56 North Ashland Avenue
G Which City agency or department is	requesting this EDS?	DHED
If the Matter is a contiact being hand	lled by the City's Departme	ent of Procurement Services, please complete the following:
Specification #	and Conti	act#
Page 1 of 13		
SECTION II - - DISCLOSURE OF OWNERSHIP I	NTERESTS	
A NATURE OF T I] Peison [J Publicly registered business coipoia [] Privately held business corporation [] Sole proprietorship [] General partnership [] Limited partnership N Trust	HE DISCLOSING PART [J tion [] [] [] (Is	Y 1 Indicate the natute of the Disclosing Party:
Limited liability company Limited liability Not-for-profit coipoiation the not-foi-piofit coipoiation also a 5010 [] Yes [] No Other (please specify)		ire
2 For legal entities, the state (or for	reign country) of incorpora	ation oi organization, if applicable: Illinois
3. For legal entities not organized in Illinois as a foreign entity?	n the State of Illinois: Has	the organization registered to do business in the State of
[J Yes [] No	jq N	'A
F3 IF THE DISCLOSING PARTY IS	A LEGAL ENTITY:	

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corporations, also list trusts, estates or other If the entity is a ge below the name and to	below all members, if any, which similal entities, list below the loneral partnership, limited paitner title of each general partner, man	utive officers and all directors of the entity. NOTE: For not-foi-piofit ch arc legal entities. If there are no such members, write "no members " For egal titleholder(s). Eiship, limited liability company, limited liability partnership or joint ventuie, list naging member, manager or any other person or entity that controls the day-to-th legal entity listed below must submit an EDS on its own behalf
Name Title		
Eric Dresselhuys	<u>Tru</u>	<u>ustee</u>
(including ownership)	_	erning each peison oi entity having a direct or indirect beneficial interest osing Party Examples of such an interest include shares in a coipoiation,
	Paş	ge 2 of 13
none, state "None." N	OTE: Pursuant to Section 2-154	company, or interest of a beneficiary of a trust, estate or other similar entity. If 4-030 of the Municipal Code of Chicago ("Municipal Code"), the City may
require any such addi	tional information from any app	olicant which is reasonably intended to achieve full disclosure.
Name	Business Address	Percentage Interest in the Disclosing Party
Robert Buono 100%		
SECTION III - BUS	INESS RELATIONSHIPS W	ITH CITY ELECTED OFFICIALS
_	g Party had a "business relations of the before the date this EDS is	ship," as defined in Chapter 2-156 of the Municipal Code, with any City elected signed?
[]Yes	pq No	
If yes, please identify	below the name(s) of such City	elected offtcial(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 subcontr actor, attorney, lobbyist, accountant, consultant and any other person or entity whom the Disclosing Party has retained or expects to retain in connection with the Mattei, as well as the nature of the relationship, and the total amount of the fees paid 07 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 peison or entity who undertakes to influence any legislative or administrative action on behalf of any peison 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 oi administrative action.

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

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Name (indicate whether Business Relationship to Disclosing Parly Fees (indicate whether retained oi anticipated Address (subcontractor, attorney, paid oi estimated.) NOTE: to be r etained) lobbyist, etc) "hourly rate" or "t b d " is

not an acceptable response

(Add sheets if necessary)

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

CERTIFICATIONS

A COURI-ORDERED CHIL D SUPPORT COMPLIANCE

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

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

[J Yes Dfl No f J No peison directly or indirectly owns] 0% or more of the Disclosing Party

If "Yes," has the per son enteied into a court-approved agieement for payment of all support owed and is the person in compliance

with that agreement?

[JYes [j No

B. FURTHER CERTIFICATIONS

I. Pursuant to Municipal Code Chapter 1-23, Article I ("Article I")(which the Applicant should consult for defined terms (e.g., "doing business") and legal r equirements), if the Disclosing Par ty submitting this EDS is the Applicant and is doing business with the City, then the Disclosing Patty certifies as follows: (i) neither the Applicant noi any controlling peison is currently indicted or charged with, or has admitted guilt of, or has evei been convicted oi. or placed under supervision for, any criminal offense involving actual, attempted, or conspiracy to commit bribery, theft, fraud, forgery, per jury, 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 f or doing business with the City NOTE: If Article 1 applies to the Applicant, the permanent compliance timeframe in Article I supersedes some five-year compliance timeframes in certifications 2 and 3 below.

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- 2. The Disclosing Party and, if the Disclosing Party is a legal entity, all of those persons or entities dentified in Section II B 1 of this EDS:
 - a, are not presently debaned, 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-yeat 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 5, 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 oi 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 oi ownership; identity of interests among family members, shared facilities and equipment; common use of employees; or organization of abusiness entity following die 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 per son or entity; • any r esponsible of ficial of the Disclosing Party, any Contractor or any Affiliated Entity, acting pursuant to the direction or authorization of a responsible official of the Disclosing Par ry, any Contractor or any Affiliated Entity (collectively "Agents").

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

- a bribed or attempted to bribe, or been convicted or adjudged guilty of bribery or attempting to bribe, a public officer or employee of the City, the State of Illinois, or any agency of the federal government or of any state or local government in the United States of America, in that of ficer's or employee's of ficial 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 01 collusion among bidders or prospective bidders, in restraint of freedom of competition by agreement to bid a fixed price or other wise; 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 2-92-630 (Living Wage Ordinance)
- 4. Neither the Disclosing Patty, 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 Tr easury or the Bureau of Industry and Security of the U S Department of Commerce or their successors: the Specially Designated Nationals List, the Denied Persons List, the Unverified List, the Entity List and the Debarred List.
- 6 The Disclosing Party understands and shall comply with the applicable requirements of Chapters 2-55 (Legislative Inspector General), 2-56 (Inspector General) and 2-156 (Governmental Ethics) of the Municipal Code.
- 7. If the Disclosing Party is unable to certify to any of the above statements in this Part B (Further Certifications), the Disclosing Party must explain below:

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lithe letters "NA," the word "None," or no response appears on the lines above, it will be conclusively presumed that the Disclosing Party certified to die 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 S20 per recipient (if none, indicate with "N/A" or "none") As to any gift listed below, please also list the name of the City recipient.
None
C CERTIFICATION OF STATUS AS FINANCIAL INSTITUTION
1. The Disclosing Party certifies that the Disclosing Party (check one)
[] is jX) is not
a "financial institution" as defined in Section 2-32-455(b) of the Municipal Code
2 Tf the Disclosing Paity 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 pr edatoiy lender within the meaning of Chapter 2-32 of the Municipal Code, explain her e (attach additional pages if necessary):

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	e word "None," or no response app ied to the above statements.	pears on the lines above, it will be conclusively piesumed that the
D CERTIFICATION I	REGARDING INTEREST IN CIT	Y BUSINESS
Any words or ter ms the Part D.	hat are defined in Chapter 2-156 of	f the Municipal Code have the same meanings when used in this
	with Section 2-156-110 of the Mus wn name or in the name of any oth pq No	nicipal Code: Does any official or employee of the City have a financial ner pei son or entity in the Mattel?
NOTE: If you checked	d "Yes" to Item D.l , proceed to Ite	ems D 2. and D.3. If you checked "No" to item D 1., proceed to Part E
have a financial interest belongs to the City, or	st in his or her own name or in the (ii) is sold for taxes or assessment Compensation for property taken	bidding, or otherwise permitted, no City elected official or employee shall name of any other person or entity in the purchase of any property that (i) is, or (iii) is sold by virtue of legal process at the suit of the City (collectively, pursuant to the City's eminent domain power does not constitute a financial
Does the Matter involv	ve a City Property Sale?	
[]Yes	[] No	
3 If you checked	"Yes" to Item D.l., provide the na ify the nature of such interest:	ames and business addresses of the City officials or employees having
Name	Business Address	Nature of Interest
4. The Disclosing lor employee	Party further certifies that no pro-	hibited financial interest in the Mattel will be acquired by any City official
E. CERTIFICATION	REGARDING SLAVERY ERA E	BUSINESS
Please check eithe	r 1 or 2. below. If the Disclo	sing Parly checks 2., the Disclosing Party must disclose below or in an

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

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

- X 1.1 he 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 01 death of their slaves), and the Disclosing Party has found no such records.
- 2. I he 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 desciibed in those records:

SECTION VI - CERTIFICATIONS FOR FEDERALLY FUNDED MATIERS

NOTE: li 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 Disclosur e Act of 1995 who have made lobbying contacts on behalf of the Disclosing Party with r espect 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 Patty 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 member of Congress, in connection with the award of any federally funded contract, making any f ederally funded grant or loan, entering into any cooperative agreement, or to extend, continue, renew, amend, or modify any federally funded contract, grant, loan, or cooperative agreement.

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	Party will submit an updated certification at the end of each calendar quarter in which there occur s any event s the accuracy of the statements and information set forth in paragraphs A.l. and A.2. above.
Code of 1986; or (ii)	ng Party ceitilies that either: (i) it is not an organization described in section 501(c)(4) of the Internal Revenue it is an organization desciibed in section 501(c)(4) of the Internal Revenue Code of 1986 but has not engaged in "Lobbying Activities"
paragraphs A.l throug	ing Party is the Applicant, the Disclosing Party must obtain cer tif ications equal in form and substance to gh A 4 above from all subcontractors before it awards any subcontract and the Disclosing Party must maintain all ertifications for the duration of the Matter and must make such certifications promptly available to the City upon
B. CERTIFICATION	REGARDING EQUAL EMPLOYMENT OPPORTUNITY
	ally funded, federal regulations require the Applicant and all proposed subcontractors to submit the n with their bids oi in writing at the outset of negotiations.
Is the Disclosing Part	y the Applicant?
f]Yes	[] No
If "Yes," answer the t	three questions below:
1 Have you dev CFR Part 60-2.)	veloped and do you have on file affirmative action programs pursuant to applicable federal regulations? (See 41
f 1 Yes	[] No
the Equal Employmen	d with the loint Reporting Committee, the Duector of the Office of Federal Conttact Compliance Programs, or nt Opportunity Commission all reports due under the applicable filing requirements?
[J Yes	[] No
3. Have you parti [JYes [JNo	icipated in any previous contiacts or subcontracts subject to the equal opportunity clause?
If you checked "No" 1	to question 1 oi 2 above, please provide an explanation:

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

1 he Disclosing Party understands and agrees that:

A. The certifications, disclosures, and acknowledgments contained in tiiis EDS will become part of any contract oi other agreement between the Applicant and the City in connection with the Matter, whether procurement. City assistance, or other City action, and arc material inducements to the City's execution of any contiact 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, Chapteis 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.citvofchicago.org/Ethics http://www.citvofchicago.org/Ethics, and may also be obtained from the City's Board of Ethics, 740 N.

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

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

D. It is the City's policy to make this document available to the public on its Internet site and/or upon request. Some or all of the information provided on this EDS and any attachments to this EDS may be made available to the public on the Internet, in response to a Freedom of Information Act request, oi 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 Pat ty must supplement this EDS up to the time the City takes action on the Matter. If the Matter is a contiact being handled by the City's Department of Procurement Services, the Disclosing Paity must update this EDS as the contract lequires. 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 r equir ed by Chapter 1-23 and Section 2 -154-020 of the Municipal Code.

The Disclosing Party represents and warrants that:

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- F.l. The Disclosing Patty 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 iowed 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" jj 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 conUactor/subcontractoT that does not provide such certifications or that the Disclosing Party has reason to believe has hot provided or cannot provide trethful certifications

NO T E: 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 ii

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

(Print or type name of per sou! signing) Trustee :! (Print or type title of person signing)

Signed and swom to before me on (date) at Cook County, i Illinois

(state).

Notary Public.

Commission expires: 6>/c^gl/lo

f~ "OFFICIAL SEAL" MytoiimWlenErqif MBMOUf

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CITY OF CHICAGO ECONOMIC DISCLOSURE. STATEMENT AND AFFIDAVIT APPENDIX A

FAMILIAL RELATIONSHIPS WITH ELECTED CITY OFFICIALS AND DEPARTMENT HEADS

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

Under Municipal Code Section 2-154-015, the Disclosing Party must disclose whether such Disclosing Party or any "Applicable Party" or any Spouse or Domestic Partner thereof currently has a "familial relationship" with any elected city official ot department head. A "familial relationship" exists if, as of the date this EDS is signed, the Disclosing Party or any "Applicable Patty" 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 of nephew, grandparent, grandchild, father-in-law, mother-in-law, son-in-law, daughter-in-law, stepfather oi stepmother, stepson or stepdaughter, stepbrother or stepsister' or half-brother or half-sister.

"Applicable Par ty" means (1) all executive officers of the Disclosing Party listed in Section IIB 1 a., if the Disclosing Party is a corporation; all partners of the Disclosing Paity, if the Disclosing Party is a general partnership; all general partners and limited partners of the Disclosing Patty, if the Disclosing Party is a limited partnership; all managers, managing members and members of the

Disclosing Paity, if the Disclosing Party is a limited liability company, (2) all piincipal officers of the Disclosing Party; and (3) any person having more than a 7,5 peicent 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 petson 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 (I) 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 tire elected city official or department head to whom such person has a familial relationship, and (4) the precise nature of such familial relationship

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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:

2300 Partners, LLC

Check ONE of the following three boxes:

Indicate whether the Disclosing Party submitting this EDS is:

1. [J the Applicant

ΩR

2. [x| 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: 1601 West Division LLC

OR

- 3. [j 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: 2300 S. Archer Ave.
 Chicago, IL 60616

C Telephone 312-636-6937 Fax 312-253-4440 Email rolando@acostalawpc.com

File #: O2013-6091, Version: 1			
<mailto:rolando@acostalawpc.com></mailto:rolando@acostalawpc.com>			
D. Name of contact person: Rolando	R. Acosta		
E. Federal Employer Identification N	o. (if you have one):		
F. Brief description of contract, trans- (Include project number and location		erred to below as the "Matter") to	which this EDS pertains.
	Rezoning of	f the property at 1601 - 15 West Division S	treet/1148 - 56 North Ashland Avenue
G. Which City agency or department	is requesting this EDS? DHED		
If the Matter is a contract being ha	ndled by the City's Department	of Procurement Services, please c	omplete the following:
Specification #	and Contract #		
Page I of 13			
SECTION 11 DISCLOSURE OF OW			
A. NATURE OF" THE DISCLOSING PA	AKTY		
Indicate the nature of the Disclosing Publicly registered business corporation partnership [] Trust Party: [x] Limited liability company [] Limited liability partnership I] Joint venture [] Not-for-profit corporation		ation [] Sole proprietorship [] Genera	al partnership [] Limited
(Is the not-for-profit corporation also	o a 501(c)(3))?	[] Yes	[J No
[J Other (please specify)		[] 168	[3 110
2. For legal entities, the state (or forei	gn country) of incorporation or org	ganization, if applicable:	
Illinois			
3. For legal entities not organized in entity?	the State of Illinois: Has the orga	anization registered to do business in	the State of Illinois as a foreign
[X]N/A			

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FJ. IF THE DISCLOSING PAR	TY IS A LEGAL ENTITY:	
below all members, if any, which below the legal titlcholder(s). If the entity is a general partn	n are legal entities. If there are no ership, limited partnership, limit urtner, managing member, manag	s and all directors of the entity. NOTE: For not-for-profit corporations, also list such members, write "no members." For trusts, estates or other similar entities, list ed liability company, limited liability partnership or joint venture, list below the er or any other person or entity that controls the day-to-day management of the mit an EDS on its own behalf.
Name Title		
Fred B. Barbara Manager		
		person or entity having a direct or indirect beneficial interest (including ownership) atterest include shares in a corporation, partnership interest in a partnership or joint
	Page 2 of 13	;
entity. If none, state "None	e." NOTE: Pursuant to Sect	company, or interest of a beneficiary of a trust, estate or other similar ion 2-154-030 of the Municipal Code of Chicago ("Municipal rmation from any applicant which is reasonably intended to achieve
Name	Business Address	Percentage Interest in the Disclosing Party
Fred B. Barbara 2300	S. Archer Ave., Chicago, I	L 60616 100%

SECTION III - BUSINESS RELATIONSHIPS WITH CITY ELECTED OFFICIALS

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

[]	Yes	Lx	No

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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.

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Name (indicate whether **Business** retained or anticipated Address to be retained)

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

paid or estimated.) NOTE: "hourly rate" or "t.b.d." is

not. an acceptable response.

(Add sheets if necessary)

[18] 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?

[J Yes (Xl 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?

Lj 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.

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- 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. arc not presently indicted for, or criminally or civilly charged by, a governmental entity (federal, state or local) with committing any of the offenses set forth in clause B.2.b. of this Section V;
- d. have not, within a five-year period preceding the date of this EDS, had one or more public transactions (federal, state or local) terminated for cause or default; and
- c. have not, within a five-year period preceding the date of this EDS, been convicted, ad judged guilty, or found liable in a civil proceeding, or in any criminal or civil action, including actions concerning environmental violations, instituted by the City or by the federal government, any state, or any other unit of local government.
- 3. The certifications in subparts 3, 4 and 5 concern:
- the Disclosing Party;
- any "Contractor" (meaning any contractor or subcontractor used by the Disclosing Party in connection with the Matter, including but not limited to all persons or legal entities disclosed under Section IV, "Disclosure of Subcontractors and Other Retained Parties");

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

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

- a. bribed or attempted to bribe, or been convicted or adjudged guilty of bribery or attempting to bribe, a public officer or employee of the City, the State of Illinois, or any agency of the federal government or of any state or local government in the United States of America, in that officer's or employee's official capacity;
- b. agreed or colluded with other bidders or prospective bidders, or been a party to any such agreement, or been convicted or adjudged guilty of agreement or collusion among bidders or prospective bidders, in restraint of freedom of competition by agreement to bid a fixed price or otherwise; or
- c. made an admission of such conduct described in a. or b. above that is a matter of record, but have not been prosecuted for such conduct; or
- d. violated the provisions of Municipal Code Section 2-92-610 (Living Wage Ordinance).
- 4. Neither the Disclosing Party, Affiliated Entity or Contractor, or any of their employees, officials, agents or partners, is barred from contracting with any unit of state or local government as a result of engaging in or being convicted of (1) bid-rigging in violation of 720 ILCS 5/33E-3; (2) bid-rotating in violation of 720 ILCS 5/33E-4; or (3) any similar offense of any state or of the United States of America that contains the same elements as the offense of bid-rigging or bid-rotating.
- 5. Neither the Disclosing Party nor any Affiliated Entity is listed on any of the following lists maintained by the Office of Foreign Assets Control of the U.S. Department of the Treasury or the Bureau of Industry and Security of the U.S. Department of Commerce or their successors: the Specially Designated Nationals List, the Denied Persons List, the Unverified List, the Entity List and the Debarred List.
- 6. The Disclosing Party understands and shall comply with the applicable requirements of Chapters 2-55 (Legislative Inspector General), 2-56 (Inspector General) and 2-156 (Governmental Ethics) of the Municipal Code.
- 7. If the Disclosing Party is unable to certify to any of the above statements in this Part B (Further Certifications), the Disclosing Party must explain below:

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If the letters "NA," the word "None," or no response appears on the lines above, it will be conclusively presumed that the Disclosing Party certified to the above statements.
8. To the best of the Disclosing Party's knowledge after reasonable inquiry, the following is a complete list of all current employees of the Disclosing Party who were, at any time during the 12-month period preceding the execution date of this EDS, an employee, or elected or appointed official, of the City of Chicago (if none, indicate with "N/A" or "none").
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 IXJ 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):

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	Page 7 of 13	3
If the letters ""NA," the word "No Party certified to the above statem		the lines above, it will be conclusively presumed that the Disclosing
D. CERTIFICATION REGARDI	NG INTEREST IN CITY BUSI	INESS
Any words or terms that arc defin	ed in Chapter 2-156 of the Mun	icipalCode have the same meanings when used in this Part D.
her own name or in the name of a	_	Code: Does any official or employee of the City have a financial interest in his or Matter?
NOTE: If you checked "Yes" to l	tem D.l., proceed to Items D.2.	and D.3. If you checked "No" to Item D.l., proceed to Part E.
interest in his or her own name or for taxes or assessments, or (iii) is	in the name of any other persor sold by virtue of legal process	or otherwise permitted, no City elected official or employee shall have a financial or entity in the purchase of any property that (i) belongs to the City, or (ii) is sold at the suit of the City (collectively, "City Property Sale"). Compensation for not constitute a financial interest within the meaning of this Part D.
Docs the Matter involve a City Pr	operty Sale?	
[] Yes [] No	
3. If you checked "Yes" to I identify the nature of such interest	· •	business addresses of the City officials or employees having such interest and
Name B	usiness Address	Nature of Interest
4. The Disclosing Party furthe	certifies that no prohibited fina	ancial interest in the Matter will be acquired by any City official or employee.
H. CERTIFICATION REGARD	NG SLAVERY ERA BUSINE	SS
Please check cither 1. or 2. be all information required by paragraph		necks 2., the Disclosing Party must disclose below or in an attachment to this EDS
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comply with these disclosure requirements may make any contract entered into with the City in connection with the Matter voidable by the City.
X . 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
I. 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,

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grant, loan, or cooperative agreement.

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	will submit an updated certification at the end of each calendar quarter in which there occurs any event that materially atements and information set forth in paragraphs A.l. and A.2. above.
	certifies that either: (i) it is not an organization described in section 501(c)(4) of the Internal Revenue Code of 1986; or ribed in section 501(c)(4) of the Internal Revenue Code of 1986 but has not engaged and will not engage in "Lobbying".
through A.4. above from all	ty is the Applicant, the Disclosing Party must obtain certifications equal in form and substance to paragraphs A.l. subcontractors before it awards any subcontract and the Disclosing Party must maintain all such subcontractors' of the Matter and must make such certifications promptly available to the City upon request.
B. CERTIFICATION REGA	ARDING EQUAL EMPLOYMENT OPPORTUNITY
If the Matter is federally fun with their bids or in writing	ded, federal regulations require the Applicant and all proposed subcontractors to submit the following information at the outset of negotiations.
Is the Disclosing Party the A	pplicant?
L J Yes	[J No
If "Yes," answer the three qu	nestions below:
•	and do you have on file affirmative action programs pursuant to applicable federal regulations? (See 41 CFR Part 60-
2.) [J Yes	[] No
·	the Joint Reporting Committee, the Director of the Office of Federal Contract Compliance Programs, or the Equal ommission all reports due under the applicable filing requirements?
3. Have you participate [JYes	ed in any previous contracts or subcontracts subject to the equal opportunity clause? I J No
If you checked "No" to ques	tion 1. or 2. above, please provide an explanation:
	Page 10 of 13

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

The Disclosing Party understands and agrees that:

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

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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- 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 Affdiated 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 rickets, 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: Tf 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.

2300 Partners, LLC

(Print or type name of Di^closi^g Party) By:

(Sign here) Fred B. Barbara

(Print or type name of person signing) Manager

(Print or type title of person signing)

Signed and sworn to before me on (date) at Coojf CXounry7"HUrJois--

?//5//3

(state). Notary Piibii*

Page 12 of I!

OFFICIAL SEAL

ANTHONY M KIELAR NOTARY PUBLIC - STATE OF ILLINOIS MY COMMISSION EXPIRES «1A» 16

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CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT APPENDIX A

FAMILIAL RELATIONSHIPS WITH ELECTED CITY OFFICIALS AND DEPARTMENT HEADS

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

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

"Applicable Party means (1) all executive officers of the Disclosing Party listed in Section 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?

L J Yes [XJ No

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

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	CJTY OF CHICAC	GO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT
SECTION I - GENERAL INFORMAT	ION	
A. Legal name of the Disclosing Party	submitting this EDS. Inclu	de d/b/a/ if applicable:
Norwol Corporation		
Check ONE of the following thr ee box	es:	
Indicate whether the Disclosing Party st 2 [] a legal entity holding a direct o Applicant in which the Disclosing Pa OR	r indirect inteiest in the App	
3 X! a legal entity with a r ight of control: 1601 West Division LLC	control (see Section II B .1.	.) State the legal name of the entity in which the Disclosing Party holds a right of
B. Business address of the Disclosing l	Party: 1910 W.	Division
	Chica	ago, IL 60622
C. Telephone: 312-636-6937	£ _{ax} - 312-253-4440	Email: rolando@acostalawpc.com <mailto:rolando@acostalawpc.com></mailto:rolando@acostalawpc.com>
D Name of contact peison: Rolando R.	Acosta	
E federal Employer Identification No. (i	f you have one):	
	ion or other undertaking (re	eferred to below as the "Matter") to which this F.DS pel tains. (Include project
Rezoning of the property at 1601 - 15	West Division Street/1148-	-56 North Ashland Avenue
G Which City agency or department is	requesting this EDS?	5!!^!^
If the Matter is a contract being hand	lled by the City's Departme	ent of Procurement Services, please complete the following:
Specification U	and Contrac	ct#
•		
Page 1 of 13 SECTION II - -DISCLOSURE OF OWNERSHIP INT	ERESTS	

A. NATURE OF THE DISCLOSING PARTY

[] Limited liability company [] Limited liability partnership [] loint venture [] Not-for-profit corporation (Is the not-for-profit corporation also a 501(c)(3))?

[] Limited partnership

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	nature of the Disclosing P s corporation [[] Sole proprietorship			registered	business	corporation	-
	[] Other (please specify)				[] Tes		[] No
Foi legal en tit	ties, the state (or foreign country) of i	ncorporation or organi	ization, if applicable:				
Illinois							
3. For legal entities entity?	es not organized in the State of Illin	nois: Has the organiza	ation registered to do	business in	the State of	Illinois as a	foreign
DJ N/A							
B. IF THE DISCLOSE	ING PARTY IS A LEGAL ENTITY	:					
below all members, if below the legal litlcho If the entity is a ger name and title of each	full names and titles of all executive any, which are legal entities If there olde.r(s) neral partnership, limited partnership general partner, managing member, E: Each legal entity listed below mu	e are no such members , limited liability comp manager or any other	, write "no members " pany, limited liability person or entity that c	For trusts, espartnership or	states or other	er similar ent re, list below	ities, list
Name Title							
Robert Buono	F	President, sole offic	er/director				
•	the following information concerning he Disclosing Party Examples of sucl		•		`	_	• /
	Page 2 o	f 13					
"None." NOTE: Pursu	r manager in a limited liability comp nant to Section 2-154-030 of the Mur applicant which is reasonably intend	nicipal Code of Chicago	o ("""Municipal Code"				
Name	Business Address	Percentage In Disclosing Pa					
Rnt»rt Riinun	1910 W. Division S-h., Phinagn,	TT, 6063?	1	LQD.%.			

File #: O2013-6091, \				
——————————————————————————————————————	ersion: 1			
SECTION III - BUSINES	S RELATIO	NSHIPS "WITH CITY ELECTED O	OFFICIALS	
Has the Disclosing Part 12 months before the date	-	-	napter 2-156 of the Municipal Code, w	ith any City elected official in the
[] Yes	DJ No			
If yes, please identify belo	w the name(s	') of such City elected official(s) and	I describe such relationship^):	
SECTION IV ~ DISCLOS	URE OF SU	BCONTRACTORS AND OTHER F	RETAINED PARTIES	
person or entity whom the	Disclosing Page 15 Pag	arty has retained or expects to retain	th subcontractor, attorney, lobbyist, accin connection with the Matter, as well a Patty is not required to disclose emplo	as the nature of the relationship,
than: (1) a not-for-profit er	itity, on an ui		egislative or administrative action on be " also means any person or entity any p ministrative action.	
If the Disclosing Party i disclosure is required or m			r this Section, the Disclosing Party mus	t either ask the City whether
		Page 3 of 13		
Name (indicate whether	Business	Relationship to Disclosing Parly	Fees (indicate whether	

(Add sheets if necessary)

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

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CERTIFICATION	ONS		
A. COURT-OR	DERED CHILD	SUPPORT COMPLIANCE	
	•	2-92-415, substantial owners of business entities that contract with the City must remain in compliance with their out the contract's teim	
Has any person v any Illinois court	•	directly owns 10% or more of the Disclosing Party been declar ed in arrearage on any child support obligations by risdiction?	
[] Yes	D4 No	[] No person directly or indir ectly owns 10% or more of the Disclosing Party	
If "Yes," has the agreement?	person entered in	to a coutt-approved agreement for payment of all support owed and is the person in compliance with that	

B. FURTHER CERTIFICATIONS

[] No

[]Yes

1. Pursuant to Municipal Code Chapter 1-2.3, Article 1 ("Article I")(which the Applicant should consult for defined terms (e.g., "doing business") and legal requirements), if the Disclosing Party submitting this EDS is the Applicant and is doing business with the City, then the Disclosing Party certifies as follows: (i) neither the Applicant nor any controlling person is currently indicted or charged with, or has admitted guilt of, or has ever been convicted of. or placed under supervision for, any criminal offense involving actual, attempted, or conspiracy to commit bribery, theft, fraud, forgery, perjury, dishonesty or deceit against an officer or employee of the City or any sister agency; and (ii) the Applicant understands and acknowledges that compliance with Article I is a continuing requirement fordoing business with the City NOTE: If Aiticle 1 applies to the Applicant, the permanent compliance timeframe in Article I supersedes some five-year compliance timeframes in certifications 2 and 3 below.

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- 2. The Disclosing Party and, if the Disclosing Party is a legal entity, all of those persons or entities denti.ficd in Section II B 1. of this EDS:
- a. ate not presently debarred, suspended, proposed for debarment, declared ineligible of 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 f ederal 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 ot legal entities disclosed under Section IV, "Disclosure of Subcontractors and Other Retained Parties");
- any "AffiLiated Entity" (meaning a petson 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 contiol 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, lhe 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 per son or entity;
- any responsible official of the Disclosing Paity, any Contractor or any Affiliated Entity or any otbei official, agent or employee of the Disclosing Party, any Contractor or any Affiliated Entity, acting pursuant to the direction or authorization of a responsible official of the Disclosing Party, any Contractor or any Affiliated Entity (collectively "Agents").

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Neither the Disclosing Paity. nor any Contractor, nor any Affiliated Entity of cither the Disclosing Party 01 any Contractor nor any Agents have, during the five years before the date this EDS is signed, or, with r espect 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 contiact or engagement in connection with the Matter-:

- bribed or attempted to bribe, oi 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 paity to any such agreement, or been convicted or adjudged guilty of
 agreement 01 collusion among bidders or prospective bidders, in restraint of freedom of competition by agieement to bid a fixed price or
 otherwise; or
- c. made an admission of such conduct desciibed in a. ot 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 bancd 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 of fense 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

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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

Page 6 of 13

If the letters "N A," 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 Io the best of the Disclosing Party's knowledge after reasonable inquiiy, the following is a complete list of all current employees of the Disclosing Par ly 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

explain below:

9 To the best of the Disclosing Patty's knowledge after reasonable inquiry, the following is a complete list of all gifts that the Disclosing Patty 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 tire 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 JXJisnot
- 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 futther 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

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predatory lender within the meaning of Chapter 2-32 of the Municipal Code, explain here (attach additional pages if necessary):
Page 7 of 1.3
If the letters "NA," the word "None," or no response appears on the lines above, it will be conclusively piesumed 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 Patt D.
1 In accordance with Section 2-156-110 of the Municipal Code: Does any of ficial or employee of the City have a financial interest in his or her own name or in the name of any other peison or entity in the Matter? [] Yes X] No
NOTE: II you checked "Yes" to Item D.l, proceed to Items D 2. and D.3. If you checked "No" to Item DL. 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 oi hei 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 oflegal 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?
[]Ycs I JNo
3 If you checked "Yes" to Item D.l, provide the names and business addresses of the City of f icials 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 ! 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

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comply with these disclosure requirements may make any contract enteied 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 Parly 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 Patty verifies that the following constitutes full disclosure of all such records, including the names of any and all slaves or slaveholders desciibed 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 r espect to the Matter: (Add sheets if necessar y):
(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 Patty 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 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

	y will submit an updated certification at the end of each calendar quarter in which there occur s any event that mater the statements and information set foith in paragraphs A 1 and A.2 above.
	v certifies that cither: (i) it is not an organization desciibed in section 501(c)(4) of the Internal Revenue Code of 1986; or ribed in section 501(c)(4) of the Internal Revenue Code of 1986 but has not engaged and will not engage in "Lobbying"
A 4 above from all subcontr	y is the Applicant, the Disclosing Party must obtain certifications equal in form and substance to paragraphs A.l through actors before it awards any subcontract and the Disclosing Party must maintain all such subcontractors' certifications for d must make such certifications promptly available to the City upon request.
B. CERTIFICATION REGA	ARDING EQUAL EMPLOYMENT OPPORTUNITY
If the Matter is federally fun with their bids or in writing	ded, federal regulations require the Applicant and all proposed subcontractors to submit the following information at the outset of negotiations
s the Disclosing Party the A	pplicant?
f.1 Yes	[] No
If "Yes," answer the three qu	nestions 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
•	the foint Reporting Committee, the Director of the Office of Federal Contiact Compliance Programs, or the Equal commission all reports due under the applicable filing requirements? [] No
3. Have you participated [j Yes	in any previous contracts or subcontracts subject to the equal opportunity clause? [] No
I you checked "No" to quest	ion 1 or 2 above, please provide an explanation:
	Page 10 of 13

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SECTION VII-- ACKNOWLEDGMENT S, CONTRACT INCORPORATION, COMPLIANCE. PENALTIES, DISCLOSURE

The Disclosing Party understands and agtees that:

A. The certifications, disclosures, and acknowledgments contained in this EDS will become part of any contract oi other agreement between the Applicant and the City in connection with the Matter, whether procurement, City assistance, ot other City action, and arc material inducements to the City's execution of any contract or taking other action with respect to the Matter. The Disclosing PaTty 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.citvorchicaKo.org/Ethics http://www.citvorchicaKo.org/Ethics, and may also be obtained from the City's Board of Ethics, 740 N.

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

C If the City determines that any information provided in this EDS is false, incomplete or inaccutate, 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 undei the contiact or agreement (if not rescinded or void), at law, or in equity, including terminating the Disclosing Party's participation in the Mattel 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 tteble damages.

D. It is the City's policy to make this document available to the public on its Internet site and/or upon Tequest. Some or all of the information provided on this EDS and any attachments to this F.DS 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 Patty 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 Mattel is a contract being handled by the City's Department of Procurement Services, the Disclosing Party must update this EDS as the contract tequires NOTE: With respect to Matters subject to Article I of Chapter 1-23 of the Municipal Code (imposing PERMANENT INELIGIBILITY for certain specified of fenses), 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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- r.1. The Disclosing Party is not delinquent in the payment oi any tax administered by the Illinois Department of Revenue, nor are the Disclosing Party or its Affiliated Entities delinquent in paying any fine. fee. rax or other charge owed to the City. This includes, but is not limited to, all water charges, sewci charges, license fees, parking tickets, property taxes or sales taxes
- y.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 P'EPLS") maintained by the V. 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 net, without the prior written consent of the City, use any such contractor/suDCODtractor that does not provide such certifications or that the Disclosing Patty 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 peison signing below. (1) warrants that he/she is authorized to execute this E DS and Appendix A (if applicable) on behalf of the Disclosing Party, and (2) warrants that ail 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.

Norwo! Coiporation (Ptint ftr type name o£J2^c]osing Party) (Sign here)

By:

Robert Buono {'Pi int or type name of person signing)

Presideni

("Print or type title of-person signing)

Signed and swain to before me on (date) lil&l

at Cook County, Illinois (state).

Notary Public

Coram ission expires: $(j>/^&)$ l&

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 of Domestic Partner thereof currently has a "familial relationship" with any elected city official of 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, uiece or nephew, grandparent, grandchild, father-in-law, son-in-law, daughter-in-law, stepfather of stepmother, stepson or stepdaughter, stepbrother or stepsister or half-brother or half-sister

"Applicable Paity" 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 Paity is a limited partnership; all managers, managing members and members of the Disclosing Paity, if the Disclosing Party is a limited liability company; (2) all principal officers of the Disclosing Patty; and (3) any peison 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 peison exercising similar authority

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

[] Yes [XJ No

If yes, please identify below (1) the name and title of such person, (2) the name of the legal entity to which such person is connected; (3) the name and tide 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

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CITY OF CHICAGO ECONOMIC DISCLOSURE SI A 1 EtVIENT AND ${\bf AFFIDAVIT}$

SECTION I - GENERAL INFORMATION

A. Legal name of the Disclosing Patty submitting this EDS. Include d/b/a/ if applicable: Newgard Development LLC

Check ONE of the following three boxes:

Indicate whether the Disclosing Paity submitting this EDS is: 1. [] the Applicant OR

2 [)5 a legal entity holding a direct oi indirect interest in the Applicant. State the legal name of the Applicant in which the Disclosing Party holds an interest: 1601 West Division LLC OR

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3. [] a legal entity with a tight of a which the Disclosing Party holds a		State the legal name of the	entity in		
B. Business address of the Disclosin	g Party:				
C. Telephone: 312-636-6937 p	o _{ax:} 312-253-4440	Email: rolando@aCQ	9Stalawpc.com <mailt< td=""><td>o:rolando@aCQStalawp</td><td>c.com></td></mailt<>	o:rolando@aCQStalawp	c.com>
D Name of contact peison: Rolando	R. Acosta				
E. federal Employer identification No	o. (if you have one):				
F Brief description of contract, transa number and location of property, if a		referred to below as the "Ma	atter") to which this E	DS pertains (Include pro	ect
Rezoning of the property at 1601 - 1	5 West Division Street/1148	3 - 56 North Ashland Avenue	e		
G Which City agency or department i	is requesting this EDS? unu	и			
If the Matter is a contract being ha	undled by the City's Departn	nent of Procurement Services	s, please complete the	following:	
Specification #	and Contr	ract #			
Page 1 of 13 SECTION II - -DISCLOSURE OF OWNERSHIP IN	NTERESTS				
A. NATURE OF THE DISCLOSING	G PARTY				
1 Indicate the natute of the Disclo [] Publicly registered business coipois [] Privately held business corporation [] Sole proprietorship [] General partnership 1] Limited partnership	ation [in [in [in [in I in	liability company [] Limited (Is the not-for-profit corpora			bi-profit
			[]Yes	[1 No	
	[]	Other (please specify)	[] 163	[110	
2. For legal entities, the state (or	foreign country) of incorpo	ration or organization, if app	olicable:		
Illinois					
3. For legal entities not organize entity?	d in the State of Illinois: I	Has the organization register	red to do business in	the Stale of Illinois as	a foreig
MN/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-piofit 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 titlcholdcr(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 membei, manager or any other peison 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

Paul Utigard 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 F.xamples of such an interest include shares in a corporation, partnership interest in a partnership or joint venture.

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interest of a member or manager in a limited liability company, or interest of a beneficiary of a trust, estate or other similar entity If none, state "None." NOTE: Pursuant 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

Paul Utigard 1341 W. Fullerton, Chicago, IL 60614 42.5% DanaUtigard 1341 W. Fullerton, Chicago, IL 60614 42.5%

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?

L j Yes M No

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

SECIION IV - DISCLOSURE OF SUBCONTRACTORS AND OTHER RETAINED PARTIES

The Disclosing Paity 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,

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and the total amount of the fees paid or estimated to be paid. The Disclosing Party is not requited 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 othe 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 whethei a disclosure is required under this Section, the Disclosing Party must cithei 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.) NOIE:
to be retained) lobbyist, etc) "hourly rate" or "t.b.d." is not an acceptable response
(Add sheets it necessary)
[X] Check here if the Disclosing Patty has not retained, nor expects to retain, any such persons or entities. SECTION V
CERTIFICATIONS
A. COURf-ORDERED CHILD SUPPORT COMPLIANCE
Under Municipal Code Section 2-92-415, substantial owners of business entities that contiact 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 peison directly or indirectly owns 10% or more of the Disclosing Party
If "Yes," has the person entered into a coutt-approved agreement for payment of all support o wed and is the person in compliance with that agreement?
[] Yes [] No
B. FURTHER CERTIFICATIONS

I Pursuant to Municipal Code Chapter 1-23, Article I ("Article I")(which the Applicant should consult for defined terms (e.g., "doing business") and legal requirements), if the Disclosing Party submitting this EDS is the Applicant and is doing business with the City, then the Disclosing Patty certifies as follows: (i) neither the Applicant not any controlling person is currently indicted or charged with, or has admitted guilt of, or has evet been convicted of, or placed under super vision for, any criminal offense involving actual, attempted, or conspiracy to commit bribery, theft, fraud, forgery, per jur y, dishonesty or deceit against an officer or employee of the City or any sisteit agency; and (ii) the Applicant understands and acknowledges that compliance with Article I is a continuing requirement for doing business with the City. NOTE: If Article 1 applies to the Applicant, the permanent compliance timeframe in Article I supersedes some five-year compliance timeframes in certifications 2 and 3 below...

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- 2. The Disclosing Patty and, if the Disclosing Party is a legal entity, all of those persons oi entities denlified in Section II B 1. of this EDS:
- a. are not presently debarred, suspended, proposed foi 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 mote 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 oi legal entities disclosed under Section IV, "Disclosure of Subcontractors and Other Retained Parties");
- any "Affiliated Entity" (meaning a petson or entity that, directly or indirectly: controls the Disclosing Party, is controlled by the Disclosing Party, or is, with the Disclosing Party, under common control of another person or entity Indicia of control include, without limitation: interlocking management or ownership; identity of interests among family members, shared facilities and equipment; common use of employees; or organization of a business entity following the ineligibility of a business entity to do business with federal or state or local government, including the City, using substantially the same management, ownership, or principals as the ineligible entity); with respect to Contractors, the term Affiliated Entity means a person or entity that directly or indirectly controls the Contractor, is controlled by it, or, with the Contractor, is under common control of another person or entity;
- any responsible official of the Disclosing Party, any Contractor or any Affiliated Entity or any other official, agent or employee of the Disclosing Party, any Contractor or any Affiliated Entity, acting pursuant to the direction or authorization of a responsible official of the Disclosing Party, any Contractor or any Affiliated Entity (collectively "Agents").

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Neither the Disclosing Paity. 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 Contractor during the five years before the date of such Contractors ot Affiliated Entity's contract or engagement in connection with the Matter:
a. bribed or attempted to bribe, oi 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 patty 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 agieement to bid a fixed price or otherwise; ot
c. made an admission of such conduct desciibed in a ot b above that is a matter of record, but have not been prosecuted lot 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 (l) 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 of fense of any state or of the United States of America that contains the same elements as the of fense 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 Parry 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 (Fuithci 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 certificate to the above statements.
8. To the best of the Disclosing Party's knowledge after reasonable inquiiy, the following is a complete list of all current employees of the Disclosing Party who were, at any time during the 12-month period preceding the execution date of this EDS, an employee, or elected or appointed official, of the City of Chicago (if none, indicate with "N/A" or "none")
9 To the best of the Disclosing Par ty's knowledge after reasonable inquity, the following is a complete list of all gifts that the Disclosing Party has given or caused ro be given, at any time dur ing 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 pur poses 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 Patty certifies that the
Disclosing Party (check one)
f.1 is $W^{,s}$ 1)01
a "financial institution" as defined in Section 2-32-455(b) of the Municipal Code,
2. If the Disclosing Paity 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 piedatory 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 lendermay result in The loss of the privilege of doing business with the City."
If the Disclosing Par ty 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 ? of 13

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If the letters "NA," th certified to the above		pears on the lines above, it will be conclusively ptesumed that the Disclosing Party
D. CERTIFICATION	N REGARDING INTEREST IN CI	TY BUSINESS
Any words or terms the	hat are defined in Chapter 2-156 of	f the Municipal Code have the same meanings when used in this Patt D.
	with Section 2-156-110 of the Mur ame of any other peison or entity in	nicipal Code: Does any official or employee of the City have a financial interest in his or her in the Matter?
NOTE: II you checke	ed "Yes" to Item D.l, proceed to Ite	ems D 2 and D.3. If you checked "No" to Item D I., proceed to Part E
interest in his or hei o for taxes or assessmen	own name or in the name of any oth nts, or (iii) is sold by virtue of legal	bidding, or otherwise permitted, no City elected official or employee shall have a f inancial ner pei son or entity in the purchase of any property that (i) belongs to the City, or (ii) is sold l process at the suit of the City (collectively, "City Property Sale"). Compensation for over does not constitute a financial interest within the meaning of this Part D
Does the Matter invol	lve a City Property Sale?	
[] Yes	[] No	
3. If you checked identif y the nature of		ames and business addresses of the City officials or employees having such interest and
Name	Business Address	Nature of Interest
4 The Disclosing F	Party further certifies that no prohib	bited financial interest in the Matter will be acquired by any City official or employee
E CERTIFICATION	REGARDING SLAVERY ERA B	USINESS
	er L or 2. below. If The Disclosing ed by paragraph 2. Failure to	g Party checks 2., the Disclosing Paity must disclose below or in an attachment to this EDS
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comply with these disclosure lequiiemeiits 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 dining the slavery era (including insurance policies issued to slaveholders that provided coverage for damage to or injury or death of thc.it http://thc.it slaves), and the Disclosing Party has found no such records
2. The Disclosing Pany verifies that, as a result of conducting the search in step 1 above, the
Disclosing Party has found records of investments or prof its 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 MAT 1 ERS
NOT E: 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 ate not federal funding.
A CLRIU ICAIION 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 wotd "None" appear, it will be conclusively presumed that the Disclosing Patty means that NO persons or entities registered under the Lobbying Disclosure Act of 1995 have made lobbying contacts or behalf of the Disclosing Party with tespect to the Matter)
2 The Disclosing Patty has not spent and will not expend any federally appropriated funds to pay any peison oi entity listed in Paragraph A 1. above for his or her lobbying activities or to pay any peison 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 ol 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, lenew, amend, or modify any federally funded contiact, grant, loan, or cooperative agreement. Page 9 of 13

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SECTION VII -- ACKNOWLEDGMENT S, CONTRACT INCORPORATION, COMPLIANCE. PENALTIES. DISCLOSURE

The Disclosing Patty unrieistands and agrees that:

- A. The certifications, disclosures, and acknowledgments contained in this EDS will become part of any contiact or other agreement between the Applicant and the City in connection with the Mattel, whether procurement, City assistance, or other City action, and are material inducements to the City's execution of any contiact or taking other action with respect to the Mattel. The Disclosing Party undeistands 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.citvofchicaeo.ore/Ethics http://www.citvofchicaeo.ore/Ethics, and may also be obtained from the City's Board of Ethics, 740 N

Sedgwick St., Suite 500, Chicago, fL 60610, (312) 744-9660 The Disclosing Paity 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 (it not rescinded or void), at law, or in equity, including terminating the Disclosing Party's participation in the Mattel 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 tteble 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 oi 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 Patty waives and releases any possible lights 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 contiact being handled by the City's Department of Procurement Services, the Disclosing Party must update this EDS as the contract tequires. 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 regaiding eligibility must be kept current for a longer period, as required by Chapter 1-23 and Section 2-154-020 of the Municipal Code,

Ihe Disclosing Party represents and warrants that:

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- JF.l. The Disclosing Party is not delinquent in the payment of any tax administered by the Illinois Department of Revenue, nor ate the Disclosing Party or its Affiliated "Entities delinquent in paying any i'ine. fee, tax or other charge owed to the City. This includes, but is not limited to, ail water charges, sewer charges, license fees, parking tickets, property taxes or sales taxes.
- F .2 If die Disclosing Party is the Applicant, the Disclosing Par ty and its Affiliated Entities will not use, nor permit their subcontractors to use, .any facility listed by the U.-S E PA. 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 ths 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 doss 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 Patty cannot certify as to any of the items in f.l., F.2. orf 3. above, an explanatory statement must be attached to this EDS-

CERTIFICATION

Under penalty oi perjury, the person signing below: (1) warrants that he/site 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.

Newgard Development LLC

(Prin t or type name of Disclosing Par ty)

Manager

(Print ot type title of peison signing)

Count v, Illinois

Signed and sworn to before me on (date) at Cook

(state): Notaiy Public.

Commission expires:

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CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAV11 APPENDIX

FAMILIAL RELATIONSHIPS WITH ELECTED CITY OFFICIALS AND DEPARTMENT HEADS

This Appendix is to he 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 owner ship 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 curr ently has a "familial relationship" with any elected city official ot department head. A "familial relationship" exists if, as of the dale 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 cleik, 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, biothei or sistet, aunt or uncle, niece or nephew, grandparent, grandchild, father-in-law, mother-in-law, son-in-

law, daughter-in-law, stepfather 01 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; a.11 partners of The Disclosing Patty, if the Disclosing Party is a general partnership; all general partners and limited partners of the Disclosing Patty, 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 petson having mote 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 oi department head?

[] Yes [xl 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 tide 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

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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:

Westgate Acquisitions, LLC

Check ONE of the following three boxes:

Indicate whether the Disclosing Party submitting this EDS is:

- 1. [] the Applicant
 - OR
- 2. Ixl 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: 1601 West Division LLC
- 3. [] a legal entity with a right of control (see Section II.B. 1.) State the legal name of the entity in which the Disclosing Party holds a right of control:

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B. Business address of the Disclosing Party:	3215 W. Fullerton Chicago, IL 60647
C. Telephone: 312-636-6937 p _{ax} ; 312-253-444	4 Email: rolando§acostalawpc.com
D. "Name of contact person: Rolando R. Acosta	
E. Federal Employer Identification No. (if you ha	ve one):
F. Brief description of contract, transaction or oth (Include project number and location of property,	er undertaking (referred to below as the "Matter") to which this EDS pertains. if applicable):
Rezoning of property at 1601 - 15 West Division	Street/1148 - 56 North Ashland Avenue
G. Which City agency or department is requestin	g this EDS? DHED
if the Matter is a contract being handled by the	City's Department of Procurement Services, please complete the following:
Specification ft	and Contract #
Page 1 of 13	
SECTION II - DISCLOSURE OF OWNERSHIP IN	TERESTS
A. NATURE OF THE DISCLOSING PARTY	
1. Indicate the nature of the Disclosing [J Person [] Publicly registered business corporation L j Privately partnership [j Trust Party:	held business corporation [j Sole proprietorship [] General partnership [J Limited
x] Limited liability company [] Limited liability partnership [] Joint venture	
[] Not-for-profit corporation	
(Is the not-for-profit corporation also a 501(c)(3))	L J Yes [] No
[] Other (please specify)	
2. For legal entities, the state (or foreign country) of	f incorporation or organization, if applicable:
Illinois	

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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?

be] N/A

13. 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 titlcholdcr(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

Mark A. Fishman 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

Mark A. Fishman 3215 W. Fullerton Ave., Chgo, IL 60647 100%

SECTION III - BUSINESS RELATIONSHIPS WITH CITY ELECTED OFFICIALS

Has the Disclosing Party had a "business relationship," as defined in Chapter 2-156 of the M unicipal 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.

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Name (indicate whether **Business** retained or anticipated Address to be retained)

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

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.

• •	•	indirectly owns 10% or more of the Disclosing Party been declared in arrearage on any child support of competent jurisdiction?
[j Yes	[yj No	[J No person directly or indirectly owns 10% or more of the Disclosing Party.
If "Yes," has the with that agreen		into a court-approved agreement for payment of all support owed and is the person in compliance
[] Yes	L J No	
B. FURTHER (CERTIFICATIO	ONS

В

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

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

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

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Neither the Disclosing Party, nor any Contractor, nor any Affiliated Entity of either the Disclosing Party or any Contractor nor any Agents have, during the Five years before the date this EDS is signed, or, with respect to a Contractor, an Affiliated Entity, or an Affiliated Entity of 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
- 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 5/33 E-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.

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6. The Disclosing Party understands and shall comply with the applicable requirements of Chapters 2-55 (Legislative Inspector General), 2-56 (Inspector General) and 2-156 (Governmental Ethics) of the Municipal Code.
7. If the Disclosing Party is unable to certify to any of the above statements in this Part B (Further Certifications), the Disclosing Party must explain below:
Page 6 of 13
If the letters "NA," the word "None," or no response appears on the lines above, it will be conclusively presumed that the Disclosing Party certified to the above statements.
8. To the best of the Disclosing Party's knowledge after reasonable inquiry, the following is a complete list of all current employees of the Disclosing Party who were, at any time during the 12-month period preceding the execution date of this EDS, an employee, or elected or appointed official, of the City of Chicago (if none, indicate with "N/A" or "none").
None
9. To the best of the Disclosing Party's knowledge after reasonable inquiry, the following is a complete list of all gifts that the Disclosing Party has given or caused to be given, at any time during the 12-month period preceding the execution date of this EDS, to an employee, or elected or appointed official, of the City of Chicago. For purposes of this statement, a "gift" does not include: (i) anything made generally available to City employees or to the general public, or (ii) food or drink provided in the course of official City business and having a retail value of less than \$20 per recipient (if none, indicate with "N/A" or "none"). As to any gift listed below, please also list the name of the City recipient.
None
C. CERTIFICATION OF STATUS AS FINANCIAL INSTITUTION
1. The Disclosing Party certifies that the Disclosing Party (check one)
1. [] is [XI is not
a "financial institution" as defined in Section 2-32-455(b) of the Municipal Code.
2. If the Disclosing Party IS a financial institution, then the Disclosing Party pledges:

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

lender or becoming an affiliate of a predatory lender may result in the loss of the privilege of doing business with the City."

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If the Disclosing Party is unable to make this pledge because it or any of its affiliates (as depredatory lender within the meaning of Chapter 2-32 of the Municipal Code, explain here (as						
Page 7 of 13						
If the letters "NA," the word "None," or no response appears on the lines above, it will be concertified to the above statements.	onclusively presumed that the Disclosing Party					
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.					
In accordance with Section 2-156-110 of the Municipal Code: Docs any official or other own name or in the name of any other person or entity in the Matter? [] Yes kj No	employee of the City have a financial interest in his or					
NOTE: If you checked "Yes" to Item D.I., proceed to Items D.2. and D.3. If you checked "I	No" to Item D.l., proceed to Part E.					
2. Unless sold pursuant to a process of competitive bidding, or otherwise permitted, no interest in his or her own name or in the name of any other person or entity in the purchase of for taxes or assessments, or (iii) is sold by virtue of legal process at the suit of the City (collaproperty taken pursuant to the City's eminent domain power does not constitute a financial in	of any property that (i) belongs to the City, or (ii) is sold ectively, "City Property Sale"). Compensation for					
Does the Matter involve a City Property Sale?						
[] Yes [j No						
3. If you checked "Yes" to Item D.l., provide the names and business addresses of the identify the nature of such interest:	City officials or employees having such interest and					
Name Business Address Nature of Interest						
4. The Disclosing Party further certifies that no prohibited financial interest in the Matter	r will be acquired by any City official or ampleyes					
4. The Disclosing Party further certifies that no prohibited financial interest in the Matter	will be acquired by any City official of employee.					
E. CERTIFICATION REGARDING SLAVERY ERA BUSINESS						
Please check either I. or 2. below. If the Disclosing Party checks 2., the Disclosing Pa all information required by paragraph 2. Failure to	rty must disclose below or in an attachment to this EDS					

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comply with these disclosure requirements may make any contract entered into with the City in connection with the Matter voidable by the City.
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 mans that NO parsons or antities registered under the Lobbying Disclosure Act of 1005 have made lobbying contacts on helpful

(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.

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3. The Disclosing Party will submit an updated certification at the end of each calendar quarter in which there occurs any event that materially affects the accuracy of the statements and information set forth in paragraphs A.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".
301 (c)(4) of the Internal Revenue Code of 1980 but has not engaged and will not engage in Loodying 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
 Have you participated in any previous contracts or subcontracts subject to the equal opportunity clause? []Ycs []No
If you checked "No" to question 1. or 2. above, please provide an explanation:
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SECTION VII-- ACKNOWLEDGMENTS, CONTRACT INCORPORATION, COMPLIANCE, PENALTIES, DISCLOSURE

The Disclosing Party understands and agrees that:

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

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

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

Westgate Acquisitions, LLC By: (Sign here)

Mark A. Fishman (Print or type name of person signing)

Manager (Print or type title of person signing) Notary Public.

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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.S 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?

L j Yes [XJ No

If yes, please identify below (I) rhe 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

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Field measurements completed on JULY 15,2013. Signed on doly Z3,2S>I3.

We, GREMLEY & BIEDERMANN, INC. hereby certify that we have surveyed the above descr property and that the plat hereon drawn is a correct representation of said survey corrected to temperature of 62° Fahrenheit.

2802

O; PROFESSIONAL'. Z LAND SURVEYOR ■ STATE OF N.ILLINOIS..

Professional Illinois Land Surveyor No. Z^OZ-My license expires November 30, 2014 This professional service conforms to the current Illinois minimum standards for a boundary s

W. DIVISION

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