



# Office of the City Clerk

City Hall  
121 N. LaSalle St.  
Room 107  
Chicago, IL 60602  
[www.chicityclerk.com](http://www.chicityclerk.com)

## Legislation Text

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File #: SO2015-4642, Version: 1

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# ANAL FOR PUBLICATION

## ORDINANCE

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

SECTION 1: Title 17 of the Municipal Code of Chicago, the Chicago Zoning Ordinance is hereby amended by changing all the Residential Business Planned Development No. 70, As Amended symbols and indications as shown on Map No. 1-E in an area bounded by:

The south right-of-way line of East Wacker Drive or the line thereof extended where no street exists; a line 3,095 feet east of the west line of North Michigan Avenue; a line 140 feet south of the north line of East Randolph Street, or the line thereof if extended where no street exists; a line 2,022 feet east of the west line of North Michigan Avenue; the north line of East Randolph Street; the east line of North Stetson Street; the north line of East Lake Street; North Michigan Avenue; the north line of East South Water Street; a line 55.53 feet west of the east line of North Beaubien Court, or the line thereof if extended where no street exists; the south line of the alley next north of and parallel to East South Water Street; the east line of the alley next east of and parallel to North Michigan Avenue; a line 138.74 feet north of the north line of the alley next north of and parallel to East South Water Street, or the line thereof if extended where no alley exists; a line 55.53 feet west of the east line of North Beaubien Court, or the line thereof if extended where no street exists; a line 428.773 feet north of the north line of East South Water Street; a line 19.69 feet west of the east line of north Beaubien Court, or the line thereof if extended where no street exists; a line 468.819 feet north of East South Water Street; and a line 68.43 feet east of the east line of North Beaubien Court, or the line thereof if extended where no street exists,

to the designation of Residential Business Planned Development No. 70, As Amended which is hereby established in the area above described, subject to such use and bulk regulations as are set forth in the Plan of Development herewith

attached and made a part thereof and to no others.

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

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### *Residential-Business Planned Development Number 70, As Amended 2015 Planned*

#### *Development Statements*

1. The area delineated herein as Residential-Business Planned Development Number 70, as amended ("the Planned Development") consists of approximately one million eight hundred fifty-eight thousand nine hundred twenty-two (1,858,922) square feet (forty-two and sixty-seven hundredths (42.67) acres) of property (the "Property") which is divided into seven (7) subareas as depicted in the attached subarea map. Subareas A, B, C, D, F and G have been substantially developed in a manner consistent with this Planned Development. Subarea E is controlled by the applicant, Lakeshore East, L.L.C.
2. All necessary official reviews, approvals or permits are required to be obtained by the applicant as to Subarea E and by the respective owners of the property to Subareas A, B, C, D, F and G.
3. The requirements, obligations and conditions contained within the Planned Development shall be binding upon the applicant, its successors and assigns and, if different than the applicant, the legal title holder and any ground lessors with respect to Subarea E and to the respective owners, their successors and assigns with respect to Subareas A, B, C, D, F and G. All rights granted hereunder to the applicant shall inure to the benefit of the applicant's successors and assigns and if different than the applicant, then to the owners of record title to all of the Property and any ground lessors with respect to Subarea E and to the respective owners, their

successors and assigns with respect to Subareas A, B, C, D, F and G. With respect to Subarea E, the

Applicant: Lakeshore East LLC

Address: 115-479 East Wacker Drive, 150-244 North Lake Shore Drive, 200-474 East Randolph Street, 119-125 East Lake Street, 201-231 North Michigan Avenue, 200-336 North Stetson Avenue, 151-335 North Stetson Avenue, 150-324 North Columbus Drive, 151-323 North Columbus Drive, 150-250 North Field Boulevard, 151-251 North Field Boulevard

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applicant is hereby designated as the controlling entity for purposes of this Planned Development.

4. This plan of development consists of these seventeen (17) statements; a Bulk Regulations and Data Table; an Existing Zoning Map; a Planned Development Boundary Map; a Subarea Map; a Net Developable Area Map for Subarea E; a Generalized Land-Use Plan for Subarea E; a Pedestrian Walkway System - Pedway Level Plan; a Subarea E Parcelization Plans (Upper Level, Intermediate Level and Lower Level); Subarea E Right-of-Way Adjustment Maps and a Subarea E Public Park Zone Map; Boundary Plans; Site Plans for Parcel DI; Green Roof Plan for Parcel DI; Elevations for Parcel DI dated November 19, 2015 prepared by bKL Architecture. The Planned Development is applicable to the area delineated hereto and these and no other zoning controls shall apply to the Property, provided, however, that the development of the Property shall also be subject to an ordinance adopted by the City Council and known as the 2000 Amendatory Lakefront Ordinance and also subject to the Lakeshore East Master Plan and Design Standards dated November 19, 2015 prepared by bKL Architecture.

5. (A) Within Subareas A, B, C, D, F and G at the elevations above Chicago City Datum indicated, provided that these elevations may be varied by plus or minus five (+/- 5) feet or as otherwise necessary to meet existing conditions, and subject to the condition in statement 12 and in the Bulk Regulations and Data

Table, the following uses are permitted:

Lower Level Applicant: Lakeshore

East LLC

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(+ 8.0 feet) Illinois Central Gulf tracks and facilities; warehousing and storage; trucking; public esplanade park along the Chicago River; and accessory uses including automobile parking and hotel uses. (Major service access level)

Interim Level Accessory uses including automobile parking and hotel uses.

Intermediate Level

(+ 26.0 feet) Accessory uses including automobile parking and hotel uses. (Vehicular Access Level)

Interim Level Accessory uses including retail sales, service used

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and service uses; related uses; and pedestrian walkways,  
(vehicular right-of-way and access level),

(B) Within Subarea E, the following uses are permitted: public parks; public school; commercial uses, retail uses, hotel uses, residential uses, business uses, office uses, religious and institutional uses, warehousing and storage and accessory uses.

In addition, the following uses shall be permitted in all subareas and at all levels subject to the review and approval of the Department of Planning and Development:

- i) broadcast and telecommunication structures, equipment and installations including

parabolic transmitting and receiving antennae;

ii) townhouses and any land-use accessory to a principal use at any level and not specifically authorized in statements 5(A) and (B); and

iii) public utility and public service uses necessary to serve the development including, but not limited to district electrical generation and utility substations under this Planned Development; and

iv) district cooling and heating.

6. Business identification signs affixed to the face of or recessed into a building or structure shall be permitted within the Planned Development, subject to the review and approval of the Department of Planning and Development. Temporary construction and marketing signs shall be

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permitted subject to the review and approval of the Department of Planning and Development. No advertising signs shall be permitted within the Planned Development.

7. Any dedication or vacation of streets, alleys or easements or any adjustment of rights-of-way shall require a separate submittal on behalf of the applicant if within Subarea E, and the respective owners of the property within Subareas A, B, C, D, F and G if within those subareas, and approval by the City Council.

8. Off-street parking and loading facilities shall be provided in compliance with this Planned Development subject to the review of the Department of Transportation and the approval of the Department of Planning and Development. A minimum of two percent (2%) of all parking spaces provided within the Planned Development, in parking structures or areas developed after the effective date hereof, shall be designated and

designed for parking for the handicapped.

9. Any service drive or other ingress or egress shall be adequately designed and paved, in accordance with the regulations of the Department of Transportation in effect at the time of construction and in compliance with the Municipal Code of the City of Chicago, to provide ingress and egress for motor vehicles, including emergency vehicles. There shall be no parking within such paved areas except where provided in public street areas as permitted by the Department of Transportation. Ingress and egress shall be subject to the review and approval of the Bureau of Traffic Engineering and Operations and of the Commissioner of Planning and Development.

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10. In addition to the maximum height of the buildings and any appurtenances thereto prescribed in this Planned Development, the height of any improvement shall also be subject to height limitations approved by the Federal Aviation Administration.

11. This Planned Development shall be subject to the "Rules, Regulations and Procedures in relation to Planned Development Amendments" as promulgated by the Commissioner of the Department of Planning and Development and in effect on the date hereof.

12. Subareas A, B, C, D, F and G already have been substantially developed. The further development or redevelopment of properties within Subareas A, B, C, D, F and G shall be subject only to the regulations in

Subsections A through G below. The development of Subarea E shall be completed in accordance with all of the regulations contained herein and in accordance with the Guidelines of the Lakeshore East Master Plan and Design Standards dated November 19, 2015.

(A) Net Developable Area. For purposes of Floor Area Ratio calculations, the definitions in the Chicago Zoning Ordinance shall apply, provided, however, that "Net Developable Area" refers to the net site area at the Upper Level. The Upper Level is typically at approximately + 53.0 feet above Chicago City Datum but may be lower or higher depending on factors such as road levels and the location of building entrances and exits as determined by the applicant. Floor Area below the Upper Level shall not be included in calculating the total number of square feet of development unless the principal entrance to the building is located below the Upper Level and, in that event, the level of

Applicant: Lakeshore Cast LLC

Address: 115-479 Last Wacker Drive, 150-244 North Lake Shore Drive, 200-474 East Randolph Street, 119-125 East Lake Street, 201-231 North Michigan Avenue, 200-336 North Stetson Avenue, 151-335 North Stetson Avenue, 150-324 North Columbus Drive, 151-323 North Columbus Drive, 150-250 North Field Boulevard, 151-251 North Field Boulevard

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the principal entrance to the building shall be considered "curb level" for purposes of the Chicago Zoning Ordinance.

(B) Bulk And Density Regulations.

1) Warehousing and storage uses permitted as principal uses in Statement Number 5 shall be limited to four hundred thousand (400,000) square feet and shall be established in accordance with the DX-16 Downtown Mixed-Use District regulations existing on the effective date of this Planned Development As



Amended 2015.

2) With regard to areas devoted as a principal use to office, hotel and residential uses and retail sales and service uses, the following maximums shall apply:

Office, maximum floor area = 12,000,000 square feet

Hotel, maximum number of rooms/keys = 5,550

Residential maximum number of dwelling units = 9,050 units

Retail sales and service, Maximum floor area = 1,325,000 square feet

Provided, however, that in calculating these maximums, ballrooms, meeting rooms, exhibition space and eating facilities associated with a hotel use and located at or above the established Upper Level shall be chargeable against the maximum permitted floor area, for principal retail sales and service uses.

3) The applicant may increase the maximum number of dwelling units allowed by up to three thousand one hundred eighty-three (3,183) dwelling units by converting a portion of the maximum allowed office space and/or a portion of the maximum allowed hotel rooms/keys. The applicant may increase the maximum amount of office space by up to two

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million (2,000,000) square feet by converting a portion of the maximum dwelling units and/or a portion of the maximum number of hotel rooms/keys. The applicant may increase the maximum number of hotel rooms/keys by up one thousand (1,000) rooms/keys by converting a portion of the maximum allowed

office space and/or a portion of the maximum allowed dwelling units. For purposes of this conversion one thousand (1,000) square feet of office space shall be equal to one (1) dwelling unit, two (2) hotel rooms/keys shall be equal to one (1) dwelling unit, and one thousand (1,000) square feet of the office space shall be equal to two (2) hotel rooms/keys.

4) Except for Subarea E, the number of efficiency units within this Planned Development shall not exceed thirty percent (30%) of the number of permitted dwelling units. The number of efficiency units in Subarea E shall not exceed fifteen percent (15%).

5) To the extent this Planned Development does not cover all items required for development, the Chicago Zoning Ordinance shall apply as follows: warehousing and storage shall be in general conformity with the DX-16 Downtown Mixed-Use District regulations; permitted office, hotel and retail used shall be in general conformity with the DX-16 Downtown Mixed-Use District regulations; and residential uses shall be in general conformity with the DR-10 Downtown Residential District regulations.

(C) Maximum Permitted Site Coverage.

1) East of North Stetson Avenue: (except for Subarea E) fifty percent (50%) between Upper Level and plus thirty (+30) feet above the Upper Level (sixty percent (60%) on a single parcel provided that a single parcel may contain multiple buildings); and forty percent (40%) above plus thirty (+30) feet above the Upper Level.

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2) West of North Stetson Avenue: eighty percent (80%) between the Upper Level and plus seventy-five (+75) feet above the Upper Level; and sixty percent (60%) above plus seventy-five (+75) feet above the Upper Level.

3) Subarea E: Site coverage is controlled by the Parcel Design Criteria as described in the Master Plan and Design Standards dated November 19, 2015.

D) Periphery Setbacks And Minimum Distance Between Buildings.

1) For Subareas A, B, C, D, F and G:

Minimum Distance Between Building Faces at Upper Level: eighty and zero-tenths (80.0) feet.

Minimum Distance Between Building Corners or Building Face-to-Corner at Upper Level: sixty and zero-tenths (60.0) feet.

Periphery setback and distance provisions may be adjusted where required to allow flexibility of architectural or site design arrangement, subject to the approval of the Department of Planning and Development.

2) For Subarea E: Setbacks are controlled by the Master Plan and Design Standards dated November 19, 2015.

E) Parking

1) Minimum Requirements for other uses:

Office building: one (1) space per three thousand five hundred (3,500) square feet.

Hotel: one (1) space per three (3) rooms/keys. Applicant:

Lakeshore Cast LLC

Address: 115-479 Cast Wacker Drive, 150-244 North Lake Shore Drive, 200-474 East Randolph Street, 119-125

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Residential building: spaces equal to fifty-five percent (55%) of the dwelling units including efficiency units, provided that with respect to townhome units a minimum of one (1) parking space per dwelling unit shall be required. Subarea E shall require spaces equal to forty percent (40%) of the dwelling units including efficiency units.

### 2) Location

All parking spaces required to serve buildings or uses shall be located on the same parcel as the building or use served, or (i) if a residential use, within five hundred (500) feet walking distance measured from the property line; or (ii) if a non-residential use, within one thousand (1,000) feet walking distance measured from the property line.

3) Vehicular entrances and exits to accessory automobile parking areas shall be located in conformance with the Automobile Entrance Zone Maps attached hereto. Provided, however, that temporary driveways shall be permitted within the restricted areas depicted on the Automobile Entrance Zone Maps when necessitated by division of parcels and subject to the review and approval of the Department of Transportation.

4) The location, geometries and operation of all interior or local ramps adjoining any structure at the Upper Level shall be subject to the review of the Department of Transportation and the approval of the Department of Planning and Development.

(F) Loading.

Minimum off-street loading shall be provided in accordance with the regulations applicable in the DR-10 Downtown Residential District and DX-12 Downtown Mixed-Use

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District of the Chicago Zoning Ordinance existing on the effective date hereof. The location of loading berths shall be subject to the review of the Department of Transportation and the approval of the Department of Planning and Development.

### G) Construction Of Public Improvements.

No certificate of occupancy shall be issued for any improvement located within a parcel in the development until such time as the Applicant for the certificate produces evidence that construction of public improvements related to the improvement located within a parcel in said development has been completed, is under construction or is under contract for construction, or that adequate access can be provided, all as certified by the Department of Transportation and approved by the Department of Planning and Development. The vertical connections (handicap accessible) adjacent to the Neighborhood Park shall be installed prior to the issuance of a Certificate of Occupancy for the building containing said vertical connection. In addition, the applicant shall use its best efforts to provide landscaping in the parkway area of North Columbus Drive along the frontage of said street adjacent to Subarea E subject to the review and approval of the Department of Planning and Development and the Department of Transportation.

### H) Public Park.

Applicant has provided the Neighborhood Park depicted on the Public Park Zone map and has dedicated the fee simple title of the Neighborhood Park to the Chicago Park District. The City of Chicago acknowledges that this satisfies all open space impact fee requirements of the applicant in the development of Subarea E.

(I) Public Elementary School.

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Provided the applicant is instructed to proceed by the City of Chicago, the Chicago Board of Education and the Chicago Park District, the applicant shall be responsible for the construction of a forty-five thousand (45,000) square foot portion of a fifty-three thousand (53,000) square foot structure to contain a public elementary school with space to be shared with the Chicago Park District to be substantially completed on or before June 30, 2020.

(J) Pedestrian Walkways.

The pedestrian walkways depicted on the Pedway Level Pedestrian Walkway System Map shall consist of an enclosed all-weather walkway (as depicted on the Pedway Level Pedestrian Walkway System Map), designed to accommodate pedestrian movement at the Arcade Level and/or other levels as depicted in the Pedway Level Pedestrian Walkway System Map attached hereto. It shall be the responsibility of the applicant to provide continuous pedestrian walkways at the Arcade Level and/or other levels within Subarea E

pursuant to the Master Plan and Design Standards subject to the review of the Department of Transportation and the approval of the Department of Planning and Development.

(K) In addition to other requirements contained within these Statements, the Applicant shall cause the following design principles to be implemented:

- 1) Improve the connection from E. South Water Street to Wacker Drive, including pedestrian safety measures and traffic calming measures at the intersection of Field Boulevard and Sub Wacker Drive;
- 2) Create a roadway connection from Waterside Drive (upper level) to Wacker Drive, including traffic calming and pedestrian safety measures;

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- 3) Create a pedestrian connection at the upper level from Parcel A2 (Tides) to Parcel B2 (Shoreham), which shall include a terrace overlook with specialty paving, landscaping and accent lighting;
- 4) Create a pedestrian connection at the upper level from the east end of Wacker Drive to Parcel B1 (Regatta), which shall include specialty paving, landscaping and accent lighting;
- 5) Create a pedestrian terrace overlook at the new Wacker Drive extension (upper level), which shall include specialty paving, pedestrian seating, accent lighting and significant landscape planters;
- 6) Create a pedestrian connection at the Pedway level from the east property line of the parcel occupying the western portion of Parcel D1 (GEMS) to the property occupying the eastern portion of Parcel D1;

7) Create a Vertical Connection from the Upper Level to the Lower Level, with access to the Pedway level as well;

8) The character of the through-building public pedestrian connections to Wacker Drive, at both the upper and lower levels, shall be pedestrian friendly, including adequate lighting for safety, decorative paving and a clear marked pedestrian zone.

All the above items shall be subject to further coordination and input with/from the Chicago Department of Transportation and the Department of Planning and Development.

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13. Prior to the issuance by the Department of Planning and Development of a determination pursuant to Section 7-13-0610 of the Chicago Zoning Ordinance ("Part II approval") for development or redevelopment of any development parcels within the Planned Development, other than alterations to existing buildings which do not increase their height or alter their footprints, a Site Plan for the proposed development, including parking areas, shall be submitted to the Commissioner of the Department of Planning and Development for approval. Review and approval of the Site Plan by the Commissioner is intended to assure that specific development proposals conform with the general design standards in Statement 12, is consistent with the intent of the Lakeshore East Master Plan and Design Standards dated November 19, 2015 and to ensure coordination of



public improvements described in statements 12(G), 12(H), 12(1), 12(J) and 12(K). No Part II approval for work for which a Site Plan must be submitted to the Commissioner shall be granted until the Site Plan has been approved by the Commissioner. Further, all Part II submittals shall be in compliance with the Chicago Landscape Ordinance. Following approval of a Site Plan by the Commissioner, the approved plan shall be kept on pennant file with the Department of Planning and Development and shall be deemed to be an integral part of this Planned Development. The approved Site Plan may be changed by the provisions of Section 17-13-0611 of the Chicago Zoning Ordinance. A Site Plan shall, at a minimum, provide the following information with respect to the proposed improvements:

- 1) the boundaries of the Property;
- 2) the footprint of the improvements;
- 3) location and dimensions of all loading berths;

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- 4) preliminary landscaping plan prepared by a landscape architect with final landscaping plan to be approved at Part II stage;
- 5) all pedestrian circulation routes;
- 6) the location of any adjacent public improvements;
- 7) a signage plan for any building where retail or theater uses would be present above the ground level;

- 8) preliminary building sections and elevations of the improvements with a preliminary building materials list; and
- 9) statistical information applicable to the Property limited to the following:
- a) floor area and floor area ratio;
  - b) uses to be established;
  - c) building heights; and
  - d) all setbacks, required and provided.

A Site Plan shall include such other information as may be necessary to illustrate conformance with the applicable provisions of this Planned Development.

14. The terms, conditions and exhibits of this Planned Development ordinance may be modified administratively by the Commissioner of the Department of Planning and Development upon the application for such a modification by the Applicant and after a determination by the Commissioner of the Department of Planning and Development that such a modification is minor, appropriate and consistent with the nature of the improvements contemplated in this Planned Development and the purposes underlying the provisions hereof. Any such modification

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of the requirements of this statement by the Commissioner of the Department of Planning shall be deemed to be a minor change in the Planned Development as contemplated by Section 17-13-0611 of the Chicago Zoning

Ordinance.

15. The applicant acknowledges that it is in the public interest to design, construct and maintain all buildings in a manner which provides healthier indoor environments, reduces operating costs and conserves energy and natural resources. At the time of a hearing before the Chicago Plan Commission all developments must be in substantial compliance with the current City of Chicago Sustainable Development Policy set forth by the Department of Planning and Development. The applicant shall use best and reasonable efforts to design, construct and maintain all buildings located within Subarea E of this Planned Development in an energy efficient manner, generally consistent with LEED Certification or its equivalent. Applicant shall provide a green roof to cover at least 25% of the net roof area of a building. "Net roof area" is defined as a total roof area minus any required perimeter setbacks, rooftop structures, and roof-mounted equipment.

16. The applicant acknowledges that it is in the public interest to design, construct and maintain the project in a manner which promotes, enables, and maximizes universal access throughout the property. Plans for all buildings and improvements on the property shall be reviewed and approved by the Mayor's Office for People with Disabilities ("M.O.P.D.") to ensure compliance with all applicable laws and regulations related to access for persons with disabilities and to promote the highest standard of accessibility. No approvals shall be granted

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pursuant to Section 17-13-0610 of the Chicago Zoning Ordinance until the Director of M.O.P.D. has approved detailed construction drawings for each building or improvement. 17. All minimum construction within

Subarea E set forth in Statement No. 17 of the 2002 version of Residential Business Planned Development No. 70 has been completed.

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Bulk Regulation + Data Table

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Existing Zoning Map

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Generalized Land Use

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Subarea Map

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Subarea E

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Pedestrian Walkway System - Pedway Level

Address • 381-383 E Wacker Dr  
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Commission • Nov 19, 2015

# FINAL FOR PUBLICATION

Subarea E Parcelization Plan - Upper Level  
(+/-) elev. +47.00 to +57.33 CCD

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Subarea E Parcelization Plan - Intermediate Level  
(+/-) elev. +27.00 CCD

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Subarea E Parcelization Plan - Lower Level  
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R.O.W. Adjustments - Upper Level

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Lower Level 05 Boundary Plan  
• 381-383 E. Wacker Dr. •

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Level 01 Boundary Plan  
• 381-383 E. Wacker Dr. •

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Lower Level 05 Site Plan  
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Level 01 Site Plan

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Roof Plan - Green Roof  
Diagram  
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Level 01 Landscape Planting Schedule

• 381-383 E. Wacker Dr. •

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North Building Elevation  
381-383 E. Wacker Dr. •

## GLAZING TYPES:

GL-1 Solarban 60 on Starfire  
GL-2 Solarban 60 on Clear  
GL-3 Solarban 60 on Solexia  
GL-4 Solarban 60 on Solexia (2)  
GL-5 Solarban 60 on Atlantica  
GL-6 Solarban 70x1 on Atlantica  
GL-7 Solarban 70x1 on Atlantica (2)  
GL-8 Solarban 70x1 on Starfire  
GL-9 Solarcool on Gray Glass

## METAL TYPES:

MTL-1 Brushed Stainless Steel  
MTL-2 Polished Stainless Steel  
MTL-3 PVDF Coated Metal

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East Building Elevation  
381-383 E. Wacker Dr. •

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- GL-2 Solarban 60 on Clear
- GL-3 Solarban 60 on Solexia
- GL-4 Solarban 60 on Solexia (2)
- GL-5 Solarban 60 on Atlantica
- GL-6 Solarban 70xl on Atlantica
- GL-7 Solarban 70xl on Atlantica (2)
- GL-8 Solarban 70xl on Starfire
- GL-9 Solarcool on Gray Glass

METAL TYPES:

- MTL-1 Brushed Stainless Steel
- MTL-2 Polished Stainless Steel

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- GL-2 Solarban 60 on Clear

GL-3 Solarban 60 on Solexia  
GL-4 Solarban 60 on Solexia (2)  
GL-5 Solarban 60 on Atlantica  
GL-6 Solarban 70x1 on Atlantica  
GL-7 Solarban 70x1 on Atlantica (2)  
GL-8 Solarban 70x1 on Starfire  
GL-9 Solarcool on Gray Glass

METAL TYPES:

MTL-1 Brushed Stainless Steel  
MTL-2 Polished Stainless Steel  
MTL-3 PVDF Coated Metal

- Elevation numbers are taken from Chicago City Datum
- South Building Elevation
- 381-383 E. Wacker Dr. •

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West Building Elevation  
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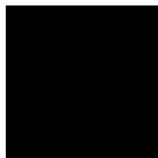
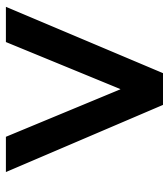
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REPORT to the  
CHICAGO PLAN COMMISSION from the  
DEPARTMENT OF PLANNING AND DEVELOPMENT  
NOVEMBER 19, 2015

FOR APPROVAL: PROPOSED 2015 AMENDMENT TO BUSINESS PLANNED  
DEVELOPMENT #70, AS AMENDED and,

PROPOSED LAKE MICHIGAN AND CHICAGO LAKEFRONT  
PROTECTION ORDINANCE APPLICATION NO. 649

APPLICANT: LAKESHORE EAST, LLC

LOCATION: 381-383 EAST WACKER DRIVE

Pursuant to the provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, the Department of Planning and Development ("DPD") hereby submits this report and recommendation regarding a proposed 2015 Amendment to Residential-Business Planned Development #70, as amended, for your review and recommendation to the Chicago City Council. The application for the amendment to the Zoning Ordinance was introduced into the City Council on June 19, 2015.

DPD also submits for your review and approval proposed Lake Michigan and Chicago Lakefront Protection Ordinance Application No. 670 pursuant to Section 16-4-100 of the Lake Michigan and Chicago Lakefront Protection Ordinance. The subject site is located within the Private Use Zone. The lakefront application was filed with DPD June 10, 2015.

Proper legal notice of the public hearing for both the zoning application and lakefront application was published in the Chicago Sun-Times on November 4, 2015. The Applicant was separately notified of this hearing.

The Applicant intends to amend the Lakeshore East Master Plan and Design Standards associated with Subarea E of Residential-Business Planned Development #70 and to construct an approximately 1200' mixed-use building with 410 dwelling units, 210 hotel keys, additional commercial space and accessory parking on an approximately 67,163 square foot site located within Subarea E of Residential-Business Planned Development #70 at approximately 381-383 East Wacker Drive.

### **BACKGROUND**

Residential Business Planned Development #70 was first created in 1969 and includes the area that is generally bounded by North Michigan Avenue, East Randolph Street, North Lake Shore Drive and East Wacker Drive. At that time, the subject area was largely the

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terminus of the Illinois Central Railroad yard in downtown Chicago. Today, the area includes several notable buildings and significant redevelopment projects, including Illinois Center, Aon Center as well as Lakeshore East. Moreover, the planned development is notable as part of a larger area that includes a three level road network, resulting in sub-level, middle-level and upper-level Wacker Drive, Randolph Street and Columbus Drive, to name a few. This road network presents challenges and opportunities for redevelopment.

Lakeshore East, essentially Subarea E of PD #70, is approximately 28 acres in size and is generally bounded by North Columbus Drive, East Wacker Drive, North Lake Shore Drive and East Randolph Street. Lakeshore East is largely a residential/mixed use community that was begun by the Applicant in approximately 2001 and today has been substantially redeveloped with a variety of buildings such as Aqua, Regatta and Shoreham, among others, around a new public park. Lakeshore East is governed by the zoning controls in PD #70 which prescribes the overall development volume, number of dwelling units and hotel keys as well as commercial space that are allowed within the planned development and each Subarea. In addition, Subarea E is governed by the Lakeshore East Master Plan and Design Standards (Master Plan).

The proposed 2015 Amendment to PD #70 includes changes to the Master Plan that will accommodate a new residential/mixed use development project named Wanda Vista. The changes include adjustments to the allowed building heights in Lakeshore East as well as infrastructure and parcelization adjustments. Finally, the elevation drawings, site plans and other supporting exhibits prescribing the Wanda Vista project itself are being included in the proposed 2015 Amendment to streamline the site plan approval process.

## **SITE AND AREA DESCRIPTION**

The subject site is officially located within the northeastern most section of the Loop Community Area immediately south of the intersection of North Field Boulevard and East Wacker Drive. East Wacker Drive at this location is improved at the upper, middle and sub levels. North Field Boulevard is currently improved at the sub level but exists as a public right of way at the middle and upper levels as well and essentially splits the subject site into two halves. The difference in height between the upper and sub levels of Field Boulevard and Wacker Drive is approximately 53'. The proposed site is approximately 67,163 square feet as measured at Upper-Level East Wacker Drive which includes the proposed vacation of portions of North Field Boulevard above 22'. The currently vacant site has an address of 381 East Wacker Drive and is referred to as Parcel D within the Master Plan.

As stated, the site is currently zoned Residential-Business Planned Development #70 (Subarea E), which will not change as part of the 2015 Amendment. While several parcels remain undeveloped within PD #70, the area is currently improved with a variety of residential, mixed use and commercial buildings. Immediately to the west, east as well as south of the subject site are residential towers located within Lakeshore East and known as the Regatta, Coast, Tides and

Shoreham. Nearby uses include a grocery store, the Aqua residential/hotel tower, various townhomes and GEMS school. In addition to the multi-level street and pedestrian connections in the area, the defining feature of Lakeshore East is

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Lakeshore East Park, a 5.3 acre Chicago Park District facility located in the center of the development, which provides walking paths, open space and a dog park, among other amenities. To the north of the subject site, located within the right of way of Sub-Level East Wacker Drive is a City of Chicago Auto Pound facility. Further north of Wacker Drive is the Chicago River Walk which is improved with a variety of seasonal uses such as kayaking, restaurants and tourism-related uses.

For broader context, the area to the north of Lakeshore East, across the Chicago River is currently zoned a variety of downtown zoning districts and planned developments that include residential, mixed use and commercial buildings. Uses in this area, which is part of the larger Streeterville area, include City Front Center and the Sheraton Hotel, among others.

The subject site is well served by existing public transit resources. In addition to many nearby bus routes, the Chicago Transit Authority's (CTA) Jackson Park Express bus (#6) is available on East Wacker Drive as well as the Blue Island/26<sup>th</sup> Street bus (#60) on North Harbor Drive, very close to the proposed Wanda Vista Tower. In addition, the subject site is well served by existing bike infrastructure and will be very well served by the Chicago Pedway System, providing a covered link from the site into the core of the Central Business District.

As stated, the site is located within the Private Use Zone of the Lake Michigan and Chicago Lakefront Protection District. It is not a Chicago Landmark nor is it located within a Chicago Landmark District. The property is also not located within a Tax Increment Financing District.

### **PROJECT DESCRIPTION**

The Wanda Vista project consists of the construction of an approximately 98-story mixed use building (93 stories above Upper Wacker Drive) that will include approximately 410 dwelling units, 210 hotel keys, 247 accessory parking spaces and additional commercial space. The entire building is planned to include approximately 1,600,000 square feet of space. The project also includes significant infrastructure improvements and changes to the immediate area to support the proposed development project including the vacation and dedication of portions of Field Boulevard rights of way. Construction is anticipated to commence in the Spring of 2016 and be completed in 2019 and 2020.

### **DESIGN**

The design of the building includes a five-story base that will be constructed below the level of Upper Wacker Drive and will largely include parking, mechanicals and other building support services. North Field Boulevard will continue to operate as a publicly dedicated street through the center of the building at the lowest level (lower level five), connecting East South Water Street, within the Lakeshore East area, to Sub-

Level East Wacker Drive. Above this lowest level, Field Boulevard will be vacated, allowing lower levels of the proposed building to be built across the entire building site.

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Above this five-story base, the building can best be described as four interconnected towers that increase in height from east to west across the site, creating smaller floor plates as height increases with the building. The first tower tops out at approximately eleven stories above Upper-Level East Wacker Drive. The second, third and fourth towers are designed to be approximately 47 stories, 71 stories and 93 stories above Upper-Level East Wacker Drive, respectively. The lower levels of the building (Floors 1-11) will primarily house the hotel functions while the upper floors (Floors 12-93) will primarily house the dwelling units. The tallest portion of the building, on the west side of the site, is planned to be approximately 1200'.

The overall design for the portion of the building above Upper-Level East Wacker Drive is a series of frustums, stacked on each other in an inverted manner that also alternate between the towers. The cladding of the building on all sides includes various types of glazing and stainless steel. A portion of the north facade up to the eleventh floor will extend out from the base, giving the building a prominent entry focal point and multi-level interior space. This portion of the building will be clad with a brushed stainless steel and glass. Balconies are designed into the floor plates for the residential floors, affording many of the units private outdoor amenity space. Additional common outdoor spaces will be provided at various other levels of the building for hotel guests, restaurant patrons and residents, as appropriate. The material callouts on the exhibits to this report detail all of the specific planned materials that make up the building's design.

### **LANDSCAPING**

The project will fully comply with the Chicago Landscape Ordinance along the proposed and existing public and private rights of way as well as the proposed outdoor pedestrian promenades. Significant landscaping is proposed for the easternmost end of the proposed extension to Upper Level East Wacker Drive as well as the pedestrian overlook to Lakeshore East Park at Waterside Drive.

### **ACCESS/CIRCULATION**

The primary vehicular access to the building is planned via the proposed Upper-Level Field Boulevard, which will connect to an extended Upper-Level East Wacker Drive as well as to Waterside Drive. This upper level includes a dropoff area as well as a bypass area for hotel patrons and residents. The residential dropoff will be located on the easternmost side of the site via Upper-Level Field Boulevard. The hotel dropoff area will be constructed on an extended Upper-Level East Wacker Drive, which will also function as a landscaped pedestrian area.

Also at the upper level, access to the garage below is available on the west side of the site while an exit from the garage is planned for the east side of the site. In addition, vehicular access to the building garage is planned via Sub-Level East Wacker Drive, including space for six loading berths. The garage will contain space for approximately 247 vehicles (located on lower levels five thru one) while additional garage parking is planned for a future building project on the site immediately west of the proposed Wand Vista Tower, via

an interconnected garage.

Pedestrian access points to the building include via Sub-Level Field Boulevard as well as Upper-Level Field Boulevard and Upper-Level East Wacker Drive. A public access point and elevator to allow pedestrians access to Sub-Level Field Boulevard, Upper-Level Field Boulevard as well as the Pedway system, at approximately the level of Middle-Level Field Boulevard, will be installed completely within the Wanda Vista building. In addition, planned pedestrian improvements on the site include a promenade connection between the north side of the Wanda Vista building and the extended Upper-Level East Wacker Drive, a pedestrian overlook to Lakeshore East Park at Waterside Drive as well as Sub-Level Field Boulevard improvements, especially at the intersection of Sub-Level East Wacker Drive.

The right of way adjustments necessary to accommodate the proposed Wanda Vista project include: 1) Vacation of the air rights at 22' above a portion of Sub-Level Field Boulevard; 2) Vacation of additional portions of Field Boulevard completely; 3) Dedication of portions of private property to widen Sub-Level Field Boulevard; 4) Extension of Upper-Level East Wacker Drive, and; 5) Establishment of easements for the public use of Upper Field Boulevard and connections to Waterside Drive and Upper East Wacker Drive.

### **SUSTAINABILITY**

The Applicant will provide approximately 11,000 square feet of green roof and will achieve LEED Silver certification for the Wanda Vista project. The project will also comply with the Storm Water Management Ordinance, implementing best practices in all storm water management. The Green Roof Plan included as an exhibit to this report highlights the locations of the green roofs on the various levels of the building.

### **BULK/USE/DENSITY**

PD #70 contains an overall cap on Floor Area Ratio (FAR) volumes, allowed dwelling units, allowed hotel keys and allowed office/retail space throughout the entire PD and by Subarea. Subarea E limits total development to approximately 9,700,000 square feet of space, 4900 dwelling units and 2100 hotel keys. The effective FAR for Subarea E is 11.6.

No changes to the development limits prescribed within PD #70 as outlined above are necessary to accommodate the proposed Wanda Vista project. The Wanda Vista project will contain approximately 1,600,000 square feet of total space and as stated earlier, 410 dwelling units and 210 hotel keys. After the Wanda Vista project is completed, approximately 2,690,000 square feet of space will remain for future development projects within Subarea E of PD #70.

As stated, this proposed 2015 Amendment to PD #70 seeks to amend the Master Plan associated with Subarea E. Specifically, the Master Plan is being adjusted to increase the maximum height allowed for the parcel proposed to be redeveloped for the Wanda Tower

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project (Parcel D) from 640' to 1200'. The maximum building height allowed for Parcel O, located immediately to the south of the Aqua Building on North Columbus Drive, is proposed to be decreased from 900' to 680'. Other changes to the Master Plan include changes to the parcelization plan and infrastructure adjustments necessary to accommodate the Wanda Vista project.

### **RECOMMENDATION**

The Department of Planning and Development has reviewed the proposed Amendment to PD #70 and the materials submitted by the Applicant and compared this proposal to existing development in the community. The area around this project is part of a larger planned development with similar zoning controls while nearby downtown zoning districts are also similar and the proposal represents an opportunity to construct a compatible residential/mixed use development project along East Wacker Drive in Chicago's Loop Community Area.

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

1. The project meets the purpose and criteria set forth in Chapter 17-8 of the Zoning Ordinance and its adoption would not have any adverse impact on the public's health, safety or welfare. Specifically, this project meets the following provisions of Chapter 17-8:
  - a. Promotes pedestrian interest, safety and comfort by creating safe and attractive walkways and pedestrian routes and by emphasizing building entries through architecture and design (per 17-8-0905-A), as evidenced by the project's incorporation of improved pedestrian paths and the significant building entrance;
  - b. Upper-story setbacks should be used to reduce the apparent mass and bulk of tall buildings (per 17-8-0907-B) as evidenced by the proposal's incorporation of significant setbacks in the overall building's design;
  - c. Reinforces desirable urban features found within the surrounding area, such as siting



patterns, massing arrangements and streetscape characteristics (per 17-8-0906-A), as evidenced by the compatibility of the project's mass and site design with the surrounding buildings in the Lakeshore East area and more broadly, in the Loop community area;

- d. Provides adequate, inviting, usable and accessible open space for workers, visitors and residents, provides a sense of place associated with the development and provides substantial landscaping of the open areas (per 17-8-0909-A), as evidenced by the incorporation of a pedestrian promenade overlooking Lake Shore East Park and East Wacker Drive;
- e. Conserves non-renewable energy and scarce materials (per 17-8-0908-A) as evidenced by the project's goal of LEED Silver certification;

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- f. Promotes the safe and efficient circulation of pedestrians, cyclists and motor vehicles (per 17-8-0904-A1) as evidenced by the project's site plan that provides appropriate drop-off, bypass and through connections between the site and surrounding Lakeshore East area, including an enclosed publically accessible connection to the lower level, upper level and Pedway level of the project; and
- g. All sides and areas of the buildings that are visible to the public are treated with materials, finishes and architectural details that are of high-quality and appropriate for use on primary street-facing facade (17-8-0907-A-4), as evidenced through the material callouts in this report and on the elevations.

- 2. The site lies within the boundaries of the Central Area Action Plan, which was adopted by the Chicago Plan Commission on August 20, 2009. The project is completely consistent with the Central Loop Sub-district of the Central Area Action Plan which supports the residential development of Lakeshore East.
- 3. The public infrastructure facilities and city services will be adequate to serve the proposed development at the time of occupancy. The proposed project has been reviewed by the Mayor's Office for People with Disabilities and the Department of Transportation and all requested changes have been made. Copies of this application have been circulated to other City departments and agencies and no comments have been received which have not been addressed in the application.
- 4. The project will comply with the requirements for access in case of fire and other emergencies.

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

The Department of Planning and Development has reviewed the project materials submitted by the Applicant with regards to the Policies and Purposes of the Lake Michigan and Chicago Lakefront Protection Ordinance and has concluded that the proposed development would be in compliance with the applicable Policies of the

Lakefront Plan of Chicago and the Purposes of the Lake Michigan and Chicago Lakefront Protection Ordinance, as they apply to development in the Private Use Zone, specifically:

1. Policy No. 10 (Ensure a harmonious relationship between lakeshore parks and community edges but in no instance allow private development east of Lake Shore Drive): The proposal consists of an appropriate residential infill project that will reinforce the multi-unit residential district that exists in this area of the City and minimally impact the lakefront park system.
2. Policy No. 8 (Increase personal safety): The proposal will improve personal safety by providing an improved link under East Wacker Drive for pedestrians accessing the Chicago River Front and will provide improved vehicular and pedestrian safety

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by connecting Upper Wacker Drive, North Field Boulevard and Waterside Drive; and,

3. Policy No. 14 (Coordinate all public and private development within the water, park and community zones): This site is located within the Private-Use Zone and the development has been coordinated with the appropriate City departments and community to minimize the impact of construction and to ensure it remains in context with the surrounding neighborhood.

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

Based on the foregoing, it is the recommendation of the Department of Planning and Development that this development application, being in conformance with the provisions of the Lake Michigan and Chicago Lakefront Protection Ordinance, be approved, subject to compliance with the Site and Landscape Plans and Building documents dated November 20, 2014 and presented before you today.

Bureau of Zoning and Land Use Department of Planning  
and Development

DEPARTMENT OF PLANNING AND DEVELOPMENT CITY OF  
CHICAGO

**AMENDMENT TO RESIDENTIAL-BUSINESS PLANNED DEVELOPMENT #70 LOCATED  
GENERALLY BETWEEN NORTH MICHIGAN AVENUE, EAST RANDOLPH STREET, NORTH  
LAKE SHORE DRIVE AND EAST WACKER DRIVE**

**RESOLUTION**

WHEREAS, the Applicant, Lakeshore East, LLC, has submitted an application seeking approval for an Amendment to Residential-Business Planned Development #70; and,

WHEREAS, the Applicant intends to amend the Lakeshore East Master Plan and Design Standards associated with Subarea E of Residential-Business Planned Development #70 and to construct an approximately 1200' mixed-use building with 410 dwelling units, 210 hotel keys, additional commercial space and accessory parking on an approximately 67,163 square foot site located within Subarea E of Residential-Business Planned Development #70 at approximately 381-383 East Wacker Drive;

WHEREAS, the Applicant's request to rezone the property was introduced to the City Council on June 17, 2015; and,

WHEREAS, proper legal notice of the hearing before the Plan Commission was published in the Chicago Sun-Times on November 4, 2015. The Applicant was separately notified of

this hearing and the proposed zoning application was considered at a public hearing by this Plan Commission on November 19, 2015; and,

WHEREAS, the Plan Commission has reviewed the application with respect to the provisions of the Zoning Ordinance and finds that the proposal will be consistent with said provisions; and

WHEREAS, the Department of Planning and Development recommended approval of the application, with the recommendation and explanation contained in the written report dated November 19, 2015, a copy of which is attached hereto and made a part hereof; and,

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

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WHEREAS, the Plan Commission has fully reviewed the application and all informational submissions associated with the proposed amendment, the report and recommendation of the Commissioner of the Department of Planning and Development and all other testimony presented at the public hearing held on November 19, 2015, giving consideration to the Zoning Ordinance;

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

1. THAT the above-stated recitals to this resolution together with the report of the Commissioner of the Department of Planning and Development be adopted as the findings of fact of the Plan Commission regarding this zoning map amendment application; and,
2. THAT this Plan Commission recommends approval to the City Council Committee on Zoning, Landmarks and Building Standards of the final zoning application dated June 17, 2015; and,

RBPD                      No.                      #70,                      as                      amended,                      2015                      Approved:  
November 19, 2015

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

FINAL

Department of Planning and Development city of chicago

**381-383 EAST WACKER DRIVE LAKE MICHIGAN AND CHICAGO LAKEFRONT  
PROTECTION ORDINANCE  
APPLICATION No. 670**

**RESOLUTION**

WHEREAS, The Applicant, Lakeshore East , LLC, proposes to construct an approximately 1200' mixed-use building with 410 dwelling units, 210 hotel keys, additional commercial space and accessory parking located at 381-383 East Wacker Drive; this site is located within the Private Use Zone of the Lake Michigan and Chicago Lakefront Protection District; and,

WHEREAS, an application for Lake Michigan and Chicago Lakefront Protection Ordinance approval was filed with the Department of Planning and Development on June 10, 2015; and,

WHEREAS, proper legal notice of a hearing before the Chicago Plan Commission on the Lake Michigan and Chicago Lakefront Protection Ordinance application was published in the Chicago Sun-Times on November 4, 2015; the Applicant was separately notified of this hearing; and the Lake Michigan and Chicago Lakefront Protection Ordinance application was considered at a public hearing by this Plan Commission on November 19, 2015; and,

WHEREAS, this Plan Commission has reviewed the application with respect to the Lake Michigan and Chicago Lakefront Protection Ordinance and finds that the proposal would be consistent with the Purposes of that Ordinance and the Policies of the Lakefront Plan of Chicago; and,

WHEREAS, the Department of Planning and Development recommends approval of the application,

which recommendation and the explanation thereof is contained in the Department's written report dated November 19, 2015, a copy of which is attached hereto and made a part hereof; and,

WHEREAS, this Plan Commission has fully reviewed the application and all informational submissions associated with the proposed development, the report and recommendation of the Commissioner of the Department of Planning and Development and all other testimony presented at the public hearing held November 19, 2015, giving consideration to the Lake Michigan and Chicago

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

FINAL

Lakefront Protection Ordinance;

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

1. THAT the above-stated recitals to this resolution together with the report of the Commissioner of the Department of Planning and Development be adopted as the findings of fact of the Chicago Plan Commission regarding this application; and,
2. *THAT the final application dated June 10, 2015, be approved as being in conformance with the provisions of the Lake Michigan and Chicago Lakefront Protection Ordinance. A*

Lakefront  
November 19, 2015

Application

No.

670

Approved:

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

**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:*

A. *Loewenberg 2007 GST Trust* |

**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: Lakeshore East LLC

OR

3. ☐ a legal entity with-a right of control (see Section H.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: 225 N. Columbus, Suite 100

Chicago, IL 60601

C. Telephone: 312-642-8869 , Fax: 312-642-2773 , Email: [ibuel@mageiidevelopment.com](mailto:ibuel@mageiidevelopment.com)

[<mailto:ibuel@mageiidevelopment.com>](mailto:ibuel@mageiidevelopment.com),

D. Name of contact person: Laura Buel , , .....

E. Federal Employer Identification No. (if you have one): v ...

F. Brief description of contract, transaction or other undertaking (referred to below as the "Matter") to which this EDS pertains. (Include project number and location of property, if applicable):

Application for Approval for Lake Michigan and Chicago Lakefront Protection Ordinance at 381-383 E. Wacker Dr.

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

Specification # N/A

and Contract #

Page 1 of 13

## SECTION II - DISCLOSURE OF OWNERSHIP INTERESTS

### A. NATURE OF THE DISCLOSING PARTY

1. Indicate the nature of the Disclosing ☐ Person  
☐ Publicly registered business corporation ☐ Privately held business corporation ☐ Sole proprietorship ☐ General partnership ☐ Limited partnership ☒ Trust

Limited liability company Limited liability partnership Joint venture  
Not-for-profit corporation  
the not-for-profit corporation also a 501(c)(3))?  
☐ Yes ☐ No Other (please specify)

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

Illinois



2

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

☐ Yes ☐ No ☒ 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

Robin Tebbe \_.. . Trustee

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

Page 2 of 13

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

Name	Business Address	Percentage Interest in the Disclosing Party
Robin Tebbe	225 N. Columbus Dr., Ste. 100 Chicago, IL 60601	innY ^

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

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

[JYes [3] No

If yes, please identify below the hame(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 of 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 retained or anticipated NOTE: to be retained)	Business Address	Relationship to Disclosing Party (subcontractor, attorney, lobbyist, etc.)	Fees (indicate whether paid or estimated.) "hourly rate" or "t.b.d." is not an acceptable response.
--	------------------	--	---

(Add sheets if necessary)

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

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

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

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

☐ Yes      ☒ No      ☐ No person directly or indirectly owns 10% or more of the Disclosing Party.

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

☒ Yes      ☐ No

## B. FURTHER CERTIFICATIONS

1. Pursuant to Municipal Code Chapter 1-23, Article I ("Article I")(which the Applicant should consult, for defined terms (e.g., "doing business") and legal requirements), if the Disclosing Party

submitting this EDS

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.

Page 4 of 13

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

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

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

- the Disclosing Party;
- any "Contractor" (meaning any contractor or subcontractor used by the Disclosing Party in connection with the Matter, including but not limited to all persons or legal entities disclosed under Section IV, "Disclosure of

Subcontractors and Other Retained Parties");

- any "Affiliated Entity" (meaning a person or entity that, directly or indirectly: controls the Disclosing Party, is controlled by the Disclosing Party, or is, with the Disclosing Party, under common control of another person or entity. Indicia of control include, without limitation: interlocking management or ownership; identity of interests among family members, shared facilities and equipment; common use of employees; or organization of a business entity following the ineligibility of a business entity to do business with federal or state or local government,, including the City, using substantially the same management, ownership, or principals as the ineligible entity); with respect to Contractors, the term Affiliated Entity means a person or entity that directly or indirectly controls the Contractor, is controlled by it, or, with the Contractor, is under common control of another person or entity;
- any responsible official of the Disclosing Party, any Contractor or any Affiliated Entity or any other official, agent or employee of the Disclosing 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
- b. agreement, or been convicted or adjudged guilty of agreement or collusion among bidders or
- b. prospective bidders, in restraint of freedom of competition-by agreement to bid a fixed price or
- b. 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 US. 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 ☒ 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. I/We, understand that becoming a predatory lender or becoming an affiliate of a predatory lender may result in the loss of the privilege of doing business with the City."

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

Page 7 of 13

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

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

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

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

• ☐ Yes ☒ No

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

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

Does the Matter involve a City Property Sale?

☒ Yes ☐ No

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

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

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

#### E. CERTIFICATION REGARDING SLAVERY ERA BUSINESS

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

Page 8 of 13

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

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

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

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

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

#### A. CERTIFICATION REGARDING LOBBYING

1. List below the names of all persons or entities registered under the federal Lobbying

Disclosure Act of 1995 who have made lobbying contacts on behalf of the Disclosing Party with respect to the Matter: (Add sheets if necessary): ''

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

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

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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.1. and A.2. above.

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

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

## B. CERTIFICATION REGARDING EQUAL EMPLOYMENT OPPORTUNITY

If the Matter is federally-funded, federal regulations require the Applicant a , subcontractors to submit the following information with their bids or in writing at the outset of negotiations.. » ;•

Is the Disclosing Party the Applicant? N/A

☐ Yes

☐ No

If "Yes," answer me three questions below: .



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

[JYes [JNo

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

[ J Yes " " [JNo \_ \_ \_ " \_ \_

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

[JYes [JNo

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

Page 10 of 13

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

The Disclosing Party understands and agrees that:

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

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

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

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

D. It is the City's policy to make this document available to the public on its Internet site and/or upon request. Some or

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

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

The Disclosing Party represents and warrants that:

Page 11 of 13

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

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

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

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

## CERTIFICATION

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

Loewenberg '2007 GST Trust  
(Print or type name of Disclosing Party)

Rnhin Tfrhbp,  
(Print or type name of person signing)

Trustee \_\_\_\_\_  
(Print or type title of person signing) \_

Signed and sworn to before me on (date) ^3uu\_ lo. Ao/\_

Commission expires: ^>>2

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

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

☐ Yes

☒ No

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

**BUILDING CODE SCOFFLAW/PROBLEM LANDLORD CERTIFICATION**

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

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

☐ Yes

☒ No

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

☐ Yes

☐ No

☒ Not Applicable

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

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

CITY OF CHICAGO ECONOMIC DISCLOSURE  
STATEMENT AND AFFIDAVIT

SECTION I - GENERAL INFORMATION

A. Legal name of the Disclosing Party submitting this EDS. Include d/b/a/ if applicable: DJ2 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: Lakeshore East LLC

OR

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

13. Business address or the Disclosing Party: 225 N. Columbus, Suite 100<sup>1</sup>

Chicago, IL 606.01

C. Telephone: 312-642-8869 Fax: 312-642-2773 Email: lbuel@magellanddevelopment.com  
<mailto:lbuel@magellanddevelopment.com>

D. Name of contact person: Laura Buel

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

F. Brief description of contract, transaction or other undertaking (referred to below as the "Matter") to which this EDS pertains. (Include project number and location of property, if applicable):

Application for Approval for Lake Michigan and Chicago Lakefront Protection Ordinance at 381-383 E. Wacker Dr.

~G~WKich~Cityirglmcy or del^ " ~ ~. ""

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

following:

Specification # N/A

and Contract # \_N/A

Page 1 of 13

## SECTION II -- DISCLOSURE OF OWNERSHIP INTERESTS

### A. NATURE OF THE DISCLOSING PARTY

1. Indicate the nature of the Disclosing ☐ Person  
☐ Publicly registered business corporation ☐ Privately held business corporation ☐ Sole proprietorship ☐ General partnership ☐ Limited partnership ☐ Trust

Limited liability company Limited liability partnership Joint venture

Not-for-profit corporation

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

☐ Yes ☐ No Other (please specify)

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

Illinois :

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

☐ Yes ☐ No .. ☐ 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).

Title - A- Manager

AHMajtege\*-

-- A Wantfgpr

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 Joel M Carlins

•David"3 "Gai^iSs-^- ■Tanies IR -T;ripwprihprg

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 Disclosi" n-P-ot-<■«•--;
<u>Loewenberg 2007 GST Trust</u>	<u>225 N Columbus. Chicagot _-j</u>	..
Loewenberg Family Trust	225 N Columbus	... j
-	.-. -Chicago, IL. 60601	
Carl-ins Limited Partnership	225 N Columbus	: ■ '■ ;
	<u>Chicago, IL 60601</u>	'..

No other persons or entities own in excess of 7.5% of disclosing party. SECTION III - BUSINESS  
RELATIONSHIPS WITH CITY ELECTED OFFICIALS

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

[ ] Yes [X]No

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

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

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

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

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

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

(Add sheets if necessary)

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

A. COURT-ORDERED CHILD SUPPORT COMPLIANCE

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

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

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

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

☐ Yes      ☐ No



## B. FURTHER CERTIFICATIONS

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\*fo"llows:~(i)^ any controlling person is currently indicted or charged with, or has admitted guilt of, or has ever been convicted of, or placed under supervision for, any criminal offense involving actual, attempted, or conspiracy to commit bribery, theft, fraud, forgery, perjury, dishonesty or deceit against an officer or employee of the City or any sister agency; and (ii) the Applicant understands and acknowledges that compliance with Article I is a continuing requirement for doing business with the City. NOTE: If Article I applies to the Applicant, the permanent compliance timeframe in Article I supersedes some five-year compliance timeframes in certifications 2 and 3 below.

Page 4 of 13

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

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

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

- the Disclosing Party;
- any "Contractor" (meaning any contractor or subcontractor used by the Disclosing Party in' connection with the Matter, including but not limited to all persons or legal entities disclosed under Section iTV, "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 with respect to Contractors, the term Affiliated Entity means a person or entity that directly or indirectly controls the Contractor, is controlled by it, or, with the Contractor, is under common control of another person or entity;

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

Page 5 of 13

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

- a. bribed or attempted to bribe, or been convicted or adjudged guilty of bribery or attempting to bribe, a public officer or employee of the City, the State of Illinois, or any agency of the federal government or of any state or local government in the United States of America, in that officer's or employee's official capacity;
- b. agreed or colluded with other bidders or prospective bidders or been a party to any such agreement, or been convicted or adjudged guilty of agreement or collusion among bidders or prospective bidders, in restraint of freedom of competition by agreement to bid a fixed price or otherwise; or
- c. made an admission of such conduct described in a. or b. above that is a matter of record, but have not been prosecuted for such conduct; or
- d. violated the provisions of Municipal Code Section 2-92-610 (Living Wage Ordinance).

4. Neither the Disclosing Party, Affiliated Entity or Contractor, or any of their employees, officials, agents or partners, is barred from contracting with any unit of state or local government as a result of engaging in or being convicted of (1) bid-rigging in violation of 720 ILCS 5/33E-3; (2) bid-rotating in violation of 720 ILCS 5/33E-4; or (3) any similar offense of any state or of the United States of America that contains the same elements as the offense of bid-rigging or bid-rotating.

5. Neither the Disclosing Party nor any Affiliated Entity is listed on any of the following lists maintained by the Office, of Foreign Assets Control of the U.S. Department of the Treasury or the Bureau of Industry and Security of the U.S. Department of Commerce or their successors: the Specially Designated Nationals List, the Denied Persons List, the Unverified List, the Entity List and the Debarred List.

6. The Disclosing Party understands and shall comply with the applicable requirements of Chapters 2-55 (Legislative Inspector General), 2-56 (Inspector General) and 2-156 (Governmental Ethics) of the Municipal Code.

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

n/a

.-

Page 6 of 13

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

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

N/A

■■ -

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

- - ! .. - ■ , ■■ , V . . . , ,

### C. CERTIFICATION OF STATUS AS FINANCIAL INSTITUTION

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

1. [ ] is is not

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

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

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

business with the City."

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

Page 7 of 13

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

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

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

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

☐ Yes

☐ No

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

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

Does the Matter involve a City Property Sale?

☐ Yes ☐ No

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

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

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

City official or employee,

#### E. CERTIFICATION REGARDING SLAVERY ERA BUSINESS

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

Page 8 of 13

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

j^l. 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 oh 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 LobJsyingJDisclosure\_Act of 1995 ha^ Disclosing Party with respect to the Matter.)

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

Page 9 of 13

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

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

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

## B. CERTIFICATION REGARDING EQUAL EMPLOYMENT OPPORTUNITY

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

Is the Disclosing Party the Applicant? .....

☐ Yes

☐ No

If "Yes," answer the three questions below:

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

☐ Yes ☐ No

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

☐ Yes ☐ No

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

☐ Yes ☐ No

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

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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 <http://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 <http://EDS.must.be> kept current. In the event of changes, the "Disclosing

Party must supplement this EDS up to the time the City takes action on the Matter. If the Matter is a contract being handled by the City's Department of Procurement Services, the Disclosing Party must update this EDS as the contract requires. NOTE: With respect to Matters subject to Article I of Chapter 1-23 of the Municipal Code (imposing PERMANENT INELIGIBILITY for certain specified

offenses), the information provided herein regarding eligibility must be kept current for a longer period, as required by Chapter 1-23 and Section 2-154-020 of the Municipal Code.

The Disclosing Party represents and warrants that:

Page 11 of 13

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

F.2 If the Disclosing Party is the Applicant, the Disclosing<sup>1</sup> Party and its Affiliated Entities will not use, nor permit their subcontractors to use, any facility listed by the U.S. E:P.A. on the federal Excluded Parties List System ("EPLS") maintained by the U. S. General Services Administration.

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

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

#### CERTIFICATION

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

m? T.Tif: -

-(Sign here)

Joeli, Garlins  
(Print or type name of person signing)

A Manager

Signed and sworn to before me on (date) ZYu-o\_ (Q ^, o(5  
at Coofe , - ■,, County, -37/>'no(s • (state);

**"OFFICIAL SEAL" VALERIE J. BALDASSIN**



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

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

☐ Yes

☐ No

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

person

has a familial relationship, and (^

■

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

## BUILDING CODE SCOFFLAW/PROBLEM LANDLORD CERTIFICATION

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

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

[ JYes                      [ -JNo"

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

: ☐ JYes                      ☐ JNo                      ☐ J Not Applicable

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

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

CITY OF CHICAGO ECONOMIC DISCLOSURE  
STATEMENT AND AFFIDAVIT

SECTION I - GENERAL INFORMATION

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

Check ONE of the following three boxes:

Indicate whether the Disclosing Party submitting this EDS is:

1. ☒ the Applicant

OR

2. ☐ a legal entity holding a direct or indirect interest in the Applicant. State the legal name of the

2. Applicant in which the Disclosing Party holds an interest:

OR

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

n 0 jj c.i r»- i ■ n + 225 N. Columbus, Suite 100

B. Business address of the Disclosing Party:

\_J

Chicago, IL 60601

C. Telephone: 312-642-8869 Fax: 312-642-2773 . Email: [ibuei@mageiiandeveiopment.com](mailto:ibuei@mageiiandeveiopment.com)  
<<mailto:ibuei@mageiiandeveiopment.com>>

D. Name of contact person: Laura Buel

E. Federal Employer Identification No. (if you have one): ,

F. Brief description of contract, transaction or other undertaking (referred to below as the "Matter") to which this EDS pertains. (Include project number and location of property, if applicable):

Application for Approval for Lake Michigan and Chicago Lakefront Protection Ordinance at 381-383 E. Wacker Dr.

Xj. WnichTUFyHal^

~ ~V \* ~" ~"

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

Specification # N/A

and Contract # \_N\_



## SECTION II - DISCLOSURE OF OWNERSHIP INTERESTS

### A. NATURE OF THE DISCLOSING PARTY

1. Indicate the nature of the Disclosing Party:

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

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

Illinois,

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

☐ Yes ☐ No ☐ 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

<u>David Carliris</u>	<u>■- A. Manager</u>	!
<u>joel-Carlihs-</u>	<u>■-&gt;A*4fatia-gi»r.-</u>	<u>----</u>
<u>James Loewenberg.</u>	<u>A Manager,</u>	.
<u>Robin Tchhp</u>	<u>A-Mahagex</u>	<u>;</u>

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,

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
------	------------------	---

	Chicago, IL 60601	i- ■-
--	-------------------	-------

TVT7 T.T.C

?7 5 N -Cn 1 limriiifi

^ 77.

.....	Chicago, IL 60601 -	.
Carlins Limited Partnership	Same as above	22.05% No other persons or entities own in excess of 7.5%

of Disclosing Party. SECTION III - BUSINESS RELATIONSHIPS WITH CITY ELECTED OFFICIALS

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

☐ Yes☒ No

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

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

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

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

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

Name (indicate whether retained or anticipated to be retained)	Business Address	Relationship to Disclosing Party (subcontractor, attorney, lobbyist, etc.)	Fees (indicate whether paid or estimated.) NOTE: "hourly rate" or "t.b.d." is not an acceptable response.
Schuyler Roche & Crisham	180 N Stetson, #3700, Chicago, IL 60601	attorney	\$25,000
Studio Gang Architects	1212 N Ashland, Chicago, IL 60622	architect	\$20,000
BKL Architecture LLC	225 N Columbus Dr., #100, Chicago, IL 60601	architect	\$30,000
Kimlev-Horn and Assoc	111 W Jackson Blvd #700, Chicago, IL 60604	engineer	\$10,000
Olin Partnership, Ltd.	150 S Independence Mall West, Philadelphia, PA 19106	architect	\$5,000

(Add sheets if necessary)

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

CERTIFICATIONS ; ,

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

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

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

☐ Yes ☒ No ☐ No person directly or indirectly owns 10% or more of the Disclosing-Party.

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

☐ Yes ☐ No

#### B. FURTHER CERTIFICATIONS

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

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

Page 4 of 13

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

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

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

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

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

Page 5 of 13

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

- a. bribed or attempted to bribe, or been convicted or adjudged guilty of bribery or attempting to bribe, a public officer or employee of the City, the State of Illinois, or any agency of the federal government or of any state or local government in the United States of America, in that officer's or employee's official capacity;
- b. agreed or colluded with other bidders or prospective bidders, or been a party to any such agreement, or been convicted or adjudged guilty of agreement or collusion among bidders or prospective bidders, in restraint of freedom of competition by agreement to bid a fixed price or otherwise;-or •
- c. made an admission of such conduct described in a: orb. 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
5. maintained by the Office of Foreign Assets<sup>1</sup> Control of the U.S. Department of the Treasury-or the
5. Bureau of Industry and Security of the U.S. Department of Commerce or their successors: the Specially
5. Designated Nationals List, the Denied Persons List, the Unverified List, the Entity- List and the
5. Debarred List. " "
6. The Disclosing Party understands and shall comply with the applicable requirements of Chapters
6. 2-55 (Legislative Inspector General), 2-56 (Inspector General) and 2-156 (Governmental Ethics) of the
6. 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:

M/fr

~ ~ ~

Page 6 of 13

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

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

N/A

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=

■

■ .... ■

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

N/A

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''

''

## C. CERTIFICATION OF STATUS AS FINANCIAL INSTITUTION

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

1. [ ] is . y is not

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

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

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

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

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

Page 7 of 13

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

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

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

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

[JYes ' . [Po

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

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

Does the Matter involve a City Property Sale?

[ J Yes [ J No

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

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

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

#### E. CERTIFICATION REGARDING SLAVERY ERA BUSINESS

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

Page 8 of 13

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

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

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

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

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

#### A. CERTIFICATION REGARDING LOBBYING

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

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

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

Page 9 of 13

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

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

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

## B. CERTIFICATION REGARDING EQUAL EMPLOYMENT OPPORTUNITY

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

Is the Disclosing Party the Applicant?

☐ Yes ☐ No

If "Yes," answer the three questions below:

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

☐ Yes ☐ No

2. Have you filed with the Joint Reporting Committee, the Director of the Office of Federal

Contract Compliance Programs, or the Equal Employment Opportunity Commission all reports due

under the applicable filing requirements?

☐ Yes ☐ No

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

☐Yes ☐No

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

Page 10 of 13

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

The Disclosing Party understands and agrees that:

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

B. The City's Governmental Ethics and Campaign Financing Ordinances, Chapters 2-156 and 2-164 of the Municipal Code, impose certain duties and obligations on persons or entities seeking City contracts, work, business, or transactions. The full text of these ordinances and a training program is available on line at [www.cityofchicago.org/Ethics](http://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 1 of Chapter 1-23 of the Municipal Code (imposing PERMANENT INELIGIBILITY for certain specified offenses), the information provided herein regarding eligibility must be kept current for a longer period, as required by Chapter 1-23 and Section 2-154-020 of the Municipal Code.

The Disclosing Party represents and warrants that:

Page 11 of 13

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

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

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

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

#### 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.

(Sign here)

■ Thpl Carl ins

(Print or type name of person signing) ■

A Manager

(Print or type title of person signing)

Signed and sworn to before me on (date) 3u-oe (o f "Xol^

Commission expires: •5~2,3-2ol2

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

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

☐ Yes ☒ 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.

**AFFIDAVIT  
APPENDIX B**

**BUILDING CODE SCOFFLAW/PROBLEM LANDLORD CERTIFICATION**

This Appendix is to be completed only by (a) the Applicant, and (b) any legal entity which has a direct ownership interest in the Applicant exceeding 715 percent (an "Owner"), it is not to be completed by any legal entity which has only an indirect ownership interest in the Applicant.

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

☐ Yes ☐ No

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

☐ Yes ☐ No ☐ % Not Applicable

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

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

**- SUBJECT TO THE CERTIFICATION OF PERJURY ON PAGE 12 OF THE ASSOCIATED EDS.**

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

**SECTION I -- GENERAL INFORMATION**



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

A. Carlins Limited Partnership

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: Lakeshore East LLC

OR

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

tit-, -j. r-ii\_r^-i-

-225 N. Columbus. Suite 100

B. Business address of the Disclosing Party: '

Chicago, IL 60601

C. Telephone: 312-642-8869

Fax: 312-642-2773

Email: [ibuei@mageiiandeveiopment.cxim](mailto:ibuei@mageiiandeveiopment.cxim)

[<mailto:ibuei@mageiiandeveiopment.cxim>](mailto:ibuei@mageiiandeveiopment.cxim)

D. Name of contact person: Laura Buel.

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

^ \_

F. Brief description of contract, transaction or other undertaking (referred to below as the "Matter") to which this EDS pertains. (Include project number and location of property, if applicable):

Application for Approval for Lake Michigan and Chicago. Lakefront Protection Ordinance at 381-383 E. Wacker Dr.

G." Which City'agency 6r~^

"

\* "

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

Specification # N/A

and Contract #

## SECTION II -- DISCLOSURE OF OWNERSHIP INTERESTS

## A. NATURE OF THE DISCLOSING PARTY

### 1. Indicate the nature of the Disclosing Party:

- ☐ Person ☐
- ☐ Publicly registered business corporation ☐
- ☐ Privately held business corporation ☐
- ☐ Sole proprietorship ☐
- ☐ General partnership (Is
- ☒ Limited partnership
- ☐ Trust ☐

Limited liability company Limited liability partnership Joint venture

Not-for-profit corporation

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

☐ Yes ☐ No Other (please specify)

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

2. Illinois .

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

☐ Yes ☐ No ☒ 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, a 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 Joel Carlins Manager

J.M. Carlins LLC

General Partner

### 2. Please provide the following information concerning each person or entity having a direct or indirect

beneficial interest (including ownership) in excess of 7.5% of the Disclosing Party. Examples of such an interest include shares in a corporation, partnership interest in a partnership or joint venture,

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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
Joel M Carlins	225 N Columbus, Chicago IL	
Allen Carlins	same as above	
David Carlins	same as above	
Elizabeth Kotas	same as above	

No other persons or entities own in excess of 7.5% of Lx Disclosing Party.. SECTION III - BUSINESS

#### RELATIONSHIPS WITH CITY ELECTED OFFICIALS

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

☐ Yes . . ☒ 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 a person or entity other than 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 retained or anticipated to be retained)	Business Address	Relationship to Disclosing Party (subcontractor, attorney, lobbyist, etc.)	Fees (indicate whether paid or estimated.) NOTE: "hourly rate" or "t.b.d." is not an acceptable response.
--	------------------	--	---

(Add sheets if necessary) ;

[j3 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 oriindirectly 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                      [xl No                      [■] No person directly or indirectly owns 10% or more of the Disclosing Party.

If "Yes," has the person entered into-a: courts-approved agreemen'tfor payment of air support owed and is the person in compliance with that agreement?

[ ] Yes                      • [ ] No                      '                      "                      ' /

### B. FURTHER CERTIFICATIONS    • -

1. Pursuant to Municipal Code Chapter 1-23, Article I ("Article I")(which the Applicant should consult for defined terms (e.'g,, "doing-business") and legal requirements), if the Disclosing Party sublnif^ certifies as follows: (i) neither the Applicant nor any controlling personi'is currently indicted .or charged with, or has admitted guilt of, or has ever been convicted of, or placed under supervisoriori'fbr, 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. 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 uniformed 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 Sectionjy, "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
- .meUgibilit^of-a4>usmess.en
- 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,<sup>v</sup> a public officer or employee of the City, the State of Illinois, or any agency of the federal government or of any state of 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, iii 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 b1 above that is a matter of record, but have not been prosecuted<sup>d</sup> for such conduct; or<sup>1</sup>
- 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 Person's 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:

sjh . . . " " .

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 ☒ 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 a 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 "None," or no response appears on the lines above, it will be conclusively presumed that the Disclosing Party certified to the above statements.

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

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

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

[ ] Yes      [ ] No      • • • • •      ■ ■      - ..

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

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

Does the Matter involve a City Property Sale?

[ ] Yes      [ ] No

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

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

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

#### E. CERTIFICATION REGARDING SLAVERY ERA BUSINESS



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

Page 8 of 13

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

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

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

## SECTION VI - CERTIFICATIONS FOR FEDERALLY FUNDED MATTERS

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

### A. CERTIFICATION REGARDING LOBBYING

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

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

2. The Disclosing Party has not spent and will not expend any federally appropriated funds to pay any person or entity listed in Paragraph A.1. above for his or her lobbying activities or to pay any person or entity to influence or attempt to influence an officer or employee of any agency, as defined by applicable federal law, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress, in connection with the award of any 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.1. and A.2. above.

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

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

#### B. CERTIFICATION REGARDING EQUAL EMPLOYMENT OPPORTUNITY

*If the Matter is federally funded and 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? N/A

☐ Yes ☒ No

If "Yes," answer the three questions below:

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

☐ Yes ☒ No

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

☒ Yes ☐ No

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

☐ Yes ☒ No

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

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

The Disclosing Party understands and agrees that:

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

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

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

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

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

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

The Disclosing Party represents and warrants that:

Page 11 of 13

F.1. The Disclosing Party is not delinquent in the payment of any tax administered by the Illinois Department of

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

F.2 . If the Disclosing Party is the Applicant, the Disclosing Party and its'Affiliated Entities will not use, nor permit their subcontractors to use, any facility listed by the U.S. E.P.A. on the federal Excluded Parties List System ("EELS"), 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 Appendix-A (if applicable) are true, accurate, and complete, as of the date furnished to the City-*

fiarHna Tiinrfpri Pjr.rnfr.shiR <<http://Pjr.rnfr.shiR>>. -  
(Print or type name of Disc

" (Sign here) Joel

Carlins  
(Print or type name of person signing) ^ m .

~~Manager of its General Partner~~  
(Print or type title of person signing) ~ ~ ~

Signed and sworn to before me on (date) 05/05/2018  
at Cook County, Illinois (state).

NOTARY PUBLIC, STATE OF ILLINOIS My Commission Expires 5/22/2018  
**"OFFICIAL SEAL- VALERIE J. BALDASSIN**

## APPENDIX A

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

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

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

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

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

☐ Yes ☒ 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.

(

## BUILDING CODE SCOFFLAW/PROBLEM LANDLORD CERTIFICATION

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

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

☐ Yes :

☒ No

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

☐ Yes.

☐ No

☒ Not Applicable

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

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

## CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT

### SECTION I - GENERAL INFORMATION

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

J.M. Carlins 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 Applicant in which the Disclosing Party holds an interest: Lakeshore East LLC .,  
OR
3. ☐ a legal entity with a right of control (see Section II.B. 1,) State the legal name of the entity in which the Disclosing Party holds a right of control:

B. Business address of the Disclosing Party: 225 N. Columbus Drive. Suite 100  
Chicago, IL 60601

C. Telephone: 312-642-8869 Fax: 312-642-2773 Email: lbuel@magellandevloprnment.cbrn  
<mailto:lbuel@magellandevloprnment.cbrn>.

D. Name of contact person: Laura Buel

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

F. Brief description of contract, transaction or other undertaking (referred to below as the "Matter") to which this EDS pertains. (Include project number and location of property, if applicable):

Application for approval for Lake Michigan and Chicago Lakefront Protection Ordinance at 381-383 E. Wacker Dr..

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

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

Specification ii. N/A. and Contract #

## SECTION II - DISCLOSURE OF OWNERSHIP INTERESTS

A. NATURE OF THE DISCLOSING PARTY 1. Indicate the nature of the Disclosing Party:

☐ Person ☒

☐ Publicly registered business corporation ☐  
☐ Privately held business corporation ☐  
☐ Sole proprietorship ☐  
☐ General partnership (Is  
☐ Limited partnership  
☐ Trust ☐

Limited liability company Limited liability partnership Joint venture

Not-for-profit corporation

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

☐ Yes

☐ No

Other (please specify)

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

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

☐ Yes

☐ No, [x] 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 Joel Carlins Manager

David Carlins 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,



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
Joel M Carlins	225 N Columbus Dr., Chicago, IL	90%,
David Carlins	same as above	10%

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

Has the Disclosing Party had a "business relationship," as defined in Chapter 2-15,6 of the Municipal Code, with any City elected official in the 12 months before the date this EDS is signed?

☐ Yes

☒ No

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

### **SECTION IV ~ DISCLOSURE OF SUBCONTRACTORS AND OTHER RETAINED PARTIES**

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

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

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

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

(Add sheets if necessary)

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

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

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

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

☐ Yes      ☒ No      ☐ No person directly or indirectly owns 10% or more of the Disclosing Party.

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

, ☐ Yes      ☐ No '

#### B. FURTHER CERTIFICATIONS

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

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

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

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

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

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 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 Inspection) and 2-56 (Inspector General) of the Municipal Code.

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

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 ☒ is not

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

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

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

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

Page 7 of 13

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

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

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

1. In accordance with Section 2-156-1.10 of the Municipal Code: Does any official or employee of the City have, a financial interest in his or her own name or in the name of any other person or entity in the Matter?

☐ Yes ☒ No

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

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

Does the Matter involve a City Property Sale?

☐ Yes ☒ No

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

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

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

#### E. CERTIFICATION REGARDING SLAVERY ERA BUSINESS

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

Page 8 of 13

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

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

records.

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

## SECTION VI - CERTIFICATIONS FOR FEDERALLY FUNDED MATTERS

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

### A. CERTIFICATION REGARDING LOBBYING

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

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

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

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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.1. and A.2. above.

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

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

## B.. CERTIFICATION REGARDING EQUAL EMPLOYMENT OPPORTUNITY

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

Is the Disclosing Party the Applicant?

☐ Yes

☒ No

If "Yes," answer the three questions below,:

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

☐ Yes

☐ No

2. Have you filed with the Joint Reporting Committee, the Director of the Office of Federal

2. Contract Compliance Programs, or the Equal Employment Opportunity Commission all reports due

2. under applicable federal regulations, state laws, and local ordinances?

☐ Yes

☐ No

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

☐ Yes

☐ No

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

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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 online 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:

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

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

#### CERTIFICATION

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

J.M. Carlins LLC

(Print or type name of Disclosing Party)

(Sign here) >

David Carlins

(Print or type name of person signing)-

Manager

(Print or type title of person signing)

Signed and sworn to before me on (date) May 11, 2018  
at Cook County, Illinois (state).

Notary Public

Notary Public. T4

OFFICIAL SEAL

VALERIE J. BALDASSIN

Commission expires: 5/22/2018

NOTARY PUBLIC, STATE OF ILLINOIS  
My Commission Expires 5/22/2018

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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?

☐ Yes ☒ No

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

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">... .. : , . . . . . 'to:'H'

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

**RECERTIFICATION**

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

Amendment to Residential/Business

This recertification is being submitted in connection with Planned Development #70

[identify the Matter]. Under penalty of perjury, the person signing below: (1) warrants that he/she is authorized to execute

this EDS recertification on behalf of the Disclosing Party, (2) . warrants that all certifications and statements contained in the Disclosing Party's original EDS are true, accurate and complete as of the date furnished to the City and continue to be true, accurate and complete as of the date of this recertification, and (3) reaffirms its acknowledgments.

Loewenberg 2007 GST Trust  
(Print or type legal name of Disclosing Party)

Date: /f-6> .~f f> .

By:

Print or type name of signatory: Robin Tebbe

Title of signatory: Trustee

*Signed and sworn to before me on [date] f^Qv^vnlxc ,6, \*W>f:5 , by*

*Koki fl "te-brfe , at Cook. County, ZCIIirtois*

Notary Public.

**"OFFICIAL SEAL- VALERIE J. BALDASSIN**

NOTARY PUBLIC, STATE OF ILLINOIS My Commission Expires 5/22/2018

»»<LMFF » V V %J w %r

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

**RECERTIFICATION**

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

Application for approval for Lake Michigan and This recertification is being submitted in connection with Chicago Lakefront Protection Ordinance

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

Loewenberg 2007 GT Trust  
(Print or type legal name of Disclosing Party)

Date: j(-C, -IJ5

By:

(sign here)

Print or type name of signatory:

Robin Tebbe

Title of signatory: Trustee

Signed and sworn to before me on [date] A/pt/cmb'tir"..6> ffio 15 , by

ftokln T-ei^r>c at Cx>k County, ZHInJs [state].

Notary Public.

ft o » m i  
O + A \*

"OFFICIAL SEAL" VALERIE J. BALDASSIN

» m w » w

NOTARY PUBLIC, STATE OF ILLINOIS My Commission Expires 5/22/2018

i» v m v ..«p . w

Ver. 11-01-05

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

### RECERTIFICATION

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

Amendment to Residential/Business

This recertification is being submitted in connection with Planned Development #70

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

Carlins Limited Partnership .....

Date: /j-L -|f>

(Print or type legahaine^ofJDiK Party)

(sign here)

Print or type name of signatory:

Joel M Carlins

Title of signatory: Member

Signed and sworn to before me on

CTt>cA GLrl ins ., al \_

[date] N&/ccrb<i< G. 3otS , by

Gaofc County, T(f,no/3

< "OFFICIAL SEAL"

« VALERIE J. BALDASSIN ►  
< NOTARY PUBLIC, STATE OF ILLINOIS >  
' My Commission Expires 5/22/2018 '

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

### RECERTIFICATION

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

Application for approval for Lake Michigan and This  
recertification is being submitted in connection with Chicago Lakefront Protection Ordinance  
[identify the Matter]. Under penalty of perjury, the person signing below: (1) warrants that he/she is authorized to execute this EDS recertification on behalf of the Disclosing Party, (2) warrants that all certifications and statements contained in the Disclosing Party's original EDS are true, accurate and complete as of the date furnished to the City and continue to be true, accurate and complete as of the date of this recertification, and (3) reaffirms its acknowledgments.

*Carlins Limited Partnership*

Date: ((-15>.... '

Print or type name of signatory:

Joel M. Carlins

Title of signatory: Member

Signed and sworn to before me on [date] /s/ ofcfemksf (e ^ols . by  
3r>eA G\*s\ ir\<, ., at Grxik County, 3TII[state].

^  
\_ Notary Public.

Commission expires: .5-^31- 3,olR

- ,/A1 QPFICIAL SEAL" VALERIE J! BALDASS1N NOTARY PUBLIC, S

Ver. u-oi-os

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

### RECERTIFICATION

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

Amendment to Residential/Business  
This recertification is being submitted in connection with planned Development #70

Printed on 6/14/2022  
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A\*^y Notary Public.

Commission expires: ■5-^A;ffiof§

■"OFFICIAL SEAL"  
■■\*VALERIE J. BALDASSIN  
«NOTARY PUBLIC, STATE OF ILLINOIS  
'My Commission Expires 5/22/2018

Ver. 11-01 -OS

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### RECERTIFICATION

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

Amendment to Residential/Business  
This recertification is being submitted in connection with Planned rmwiinpment #70 ,  
[identify the Matter]. Under penalty of perjury, the person signing below: (1) warrants that  
he/she is authorized to execute this EDS recertification on behalf of the Disclosing Party, (2)  
warrants that all certifications and statements contained in,the Disclosing Party's original EDS  
are true, accurate and complete as ofthe date furnished to the City and continue to be true,  
accurate and complete as ofthe date of this recertification, and (3) reaffirms its  
acknowledgments.

Lakeshore East LLC .....

Date: ((('^ ~LS \_\_\_\_\_

(Print or type legal name of Disclosing Party)

Print or type name of signatory: Joel M Carlins

Title of signatory: Manager

Signed and sworn to before me on [date] / ^hVkrL^ ■ %a/-5 -.. by

~Jog4 rrv-S , at Cook County, ID/ mot's

j^&^LcJ&J^^ Notary Public.

"OFFICIAL SEAL" VALERIE J. BALDASSIN NOTARY PUBLIC, STATE OF ILLINOIS My Commission Expires  
5/22/2018

<&• -vvVJJvvv

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### RECERTIFICATION

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

AppfHaiibnfdrapproval.YorLske'M  
This recertification is being submitted m connection-with ■■fofaj^taj^



[Identify the Matter]. Under penalty of perjury, the person, signing below: (1) warrants that he/she is authorized to execute this EDS recertification on behalf of the Disclosing Party, (2) warrants that all certifications and statements contained in the Disclosing Party's original EDS are true, accurate and complete as of the date furnished to the City and continue to be true, accurate and complete as of the date of this recertification, and (3) reaffirms its acknowledgments.  
(sign here)

Print or type name of signatory: Joel M Carlins

Title of signatory: Manager

Signed and sworn to before me on [date] i/^ot/g-mlx/C >(e..d.o[5:, by

"r A G^rtMfV^2 , at Co^fe- County, "Xjf/j^/s

Notary Public.

**'OFFICIAL SEAL' VALERIE J: BALDASSIN**  
NOTARY PUBLIC, STATE OF ILLINOIS My Commission Expires 5/22/2018

Ver. 11-01-05