

Modification Summary Report

Contract (PO) Number: T25948

Modification Revision Number: 1

Specification Number: B96305702

Name of Contractor: RAE PRODUCTS & CHEMICALS CORP.

City Department: DEPT OF GENERAL SERVICES

Title of Contract: T9630570201 PAINT, VARIOUS INTERIOR & EXTERIOR
& PAINT SUPPLIES

<u>Mod Req Number</u>	<u>Mod Reason</u>	<u>Description</u>
3892		B96305702 PO T24980 Paint, Various Interior and Exterior Rae Products 730 Day Time Extension thru 09/30/05

Term of Contract: Start Date: 10/1/00

End Date: 9/30/05

Procurement Services Contact Person: PETER VITONE

Vendor Number: 708377

Submission Date:

SEP 17 2003

CITY OF CHICAGO

ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT

FOR CITY USE
AFFIDAVIT NO _____

Pursuant to Chapter 2-154 of the Municipal Code of Chicago (the "**Municipal Code**") or, if applicable, under § 8.5 of the Illinois Municipal Purchasing Act 65 ILCS 5/8-10-8.5, the following information is required to be disclosed before any City agency, department or City Council action. Please fully complete each statement, with all information current as of the date this Economic Disclosure Statement and Affidavit ("**EDS**") is signed. Every question must be answered. If a question is not applicable, answer with "N.A." **An incomplete EDS will be returned and any City action will be interrupted.**

Please **print or type** all responses clearly and legibly. Add additional pages if needed, being careful to identify the portion of the EDS to which each additional page refers.

WHO MUST FILE:

1. **Applicants:** Any individual or entity (the "**Applicant**") making an application to the City of Chicago (the "**City**") for action requiring City Council or other City agency approval must file this EDS. **For example, vendors seeking City contracts and individuals or entities applying for concessions, loans or grants are "Applicants."**

2. **Entities holding an interest in the Applicant:** Whenever an ownership interest in the Applicant (such as shares of stock of the Applicant or a limited partnership interest in the Applicant, for example) is held or owned by a legal entity (such as a corporation or partnership, for example) rather than an individual, each such legal entity must also file an EDS on its own behalf, and any parent of that legal entity must do so, except as provided below, until individual owners are disclosed. Under the Municipal Code, if the Applicant is a corporation whose shares are registered on a national securities exchange pursuant to the Securities Exchange Act of 1934, only legal entities that own 10 % or more of the Applicant's stock must file EDSs on their own behalf. However, under the Purchasing Act, legal entities holding 7.5% or more of a vendor Applicant must file EDSs.

ACKNOWLEDGMENT OF POSSIBLE CREDIT AND OTHER CHECKS: By completing and filing this EDS, the Undersigned acknowledges and agrees, on behalf of itself and the individuals named in this EDS, that the City may investigate the creditworthiness of some or all of the individuals named in this EDS.

CERTIFYING THIS EDS: Execute the certification on the date of the initial submission of this EDS. **You may be asked to re-certify this EDS on the last page as of the date of submission of any related ordinance to the City Council, or as of the date of the closing of your transaction.**

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

GENERAL INFORMATION

Date this EDS completed:

- ☒ Check here if you are filing as "Applicant."
☐ Check here if you are filing on behalf of an "entity holding an interest in an Applicant."
(Please identify Applicant: _____)

- A. Exact legal name of individual or entity submitting this EDS (the "**Undersigned**"): RAE PRODUCTS & CHEMICALS CORPORATION
- B. Business address: 11630 S. CICERO AVE. - ALSIP, IL 60803
- C. Telephone: 708-396-1984 Fax: 708-396-2332
- D. Name of contact person: DONNA GRUENBERG
- E. If a procurement, Specification # B96305702 and Contract # T9630570201/T25948
- F. If not a procurement:
1. City Agency requesting EDS _____;
 2. City action requested (e.g. loan, grant, sale of property): _____;
 3. If property involved, list property location: _____;
- G. Brief description of project, (include project number if applicable): VARIOUS INTERIOR AND EXTERIOR PAINTS AND PAINT SUNDRY ITEMS.

SECTION ONE: DISCLOSURE OF OWNERSHIP INTERESTS

CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT

A. NATURE OF ENTITY

1. Indicate whether the Undersigned is an individual or legal entity:

- | | |
|--|--|
| <input type="checkbox"/> Individual | <input type="checkbox"/> Limited Liability Company |
| <input checked="" type="checkbox"/> Business corporation | <input type="checkbox"/> Joint venture |
| <input type="checkbox"/> Not-for-profit corporation | <input type="checkbox"/> Sole proprietorship |
| <input type="checkbox"/> General partnership | <input type="checkbox"/> Other entity (please specify) _____ |
| <input type="checkbox"/> Limited partnership | |

2. State of incorporation or organization, if applicable: ILLINOIS

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

☐ Yes ☐ No

☒ N/A

B. ORGANIZATION INFORMATION

For individuals, voluntary disclosure of the last 4 digits of social security number is requested to cross-reference against City's employee list to determine if individual is a City employee.

1. IF THE UNDERSIGNED IS A FOR-PROFIT OR A NOT-FOR-PROFIT CORPORATION:

a. List below the names and titles of all executive officers and all directors of the corporation. For not-for-profit corporations, also list below any executive director of the corporation, and indicate all members, if any, who are legal entities. If there are no members, write "no members."

Name	Title	Last 4 digits of SSN
DONNA GRUENBERG	PRESIDENT	
FRED GRUENBERG	SECRETARY	
LISA HANSON	TREASURER	

b. For corporations whose shares are registered on a national securities exchange pursuant to the Securities Exchange Act of 1934, please provide the following information concerning shareholders who own shares equal to or in excess of 10 % (or 7.5 %, as applicable) of the corporation's outstanding shares. *Note: it may be necessary for some shareholders to complete an EDS as an "Entity holding an interest in the Applicant."*

Name	Business Address	Percentage Interest	Last 4 digits of SSN
DONNA GRUENBERG	11630 S. CICERO	100	
	ALSIP, IL 60803		

c. For corporations that are not registered on a national securities exchange pursuant to the Securities Exchange Act of 1934, list below the name, business address and percentage of ownership interest of each shareholder. *Note: it may be necessary for some shareholders to complete an EDS as an "Entity holding an interest in the Applicant."*

CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT

Name	Business Address	Percentage Interest	Last 4 digits of SSN

2. IF THE UNDERSIGNED IS A PARTNERSHIP:

For general or limited partnerships: list below the name, business address and percentage of ownership interest of each partner. For limited partnerships, indicate whether each partner is a general partner or a limited partner. *Note: it may be necessary for some partners to complete an EDS as an "Entity holding an interest in the Applicant."*

Name	Business Address	Percentage Interest	Last 4 digits of SSN

3. IF THE UNDERSIGNED IS A LIMITED LIABILITY COMPANY:

a. List below the name, business address and percentage of ownership interest of each (i) member and (ii) manager. If there are no managers, write "no managers," and indicate how managed. *Note: it may be necessary for some members to complete an EDS as an "Entity holding an interest in the Applicant."*

Name	Business Address	Percentage Interest	Last 4 digits of SSN

b. List below the names and titles of all officers, if any. If there are no officers, write "no officers."

Name	Title	Last 4 digits of SSN

4 IF THE UNDERSIGNED IS A LAND TRUST, BUSINESS TRUST OR ESTATE:

a. List below the name of each individual or legal entity holding legal title to the property that is the subject of the trust.

Name	Business Address	Last 4 digits of SSN

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b. List below the name, business address and percentage of beneficial interest of each beneficiary on whose behalf title is held. *Note: it may be necessary for some beneficiaries to complete an EDS as an "Entity holding an interest in the Applicant."*

Name	Business Address	Percentage Interest	Last 4 digits of SSN
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

SECTION TWO: BUSINESS RELATIONSHIPS WITH CITY ELECTED OFFICIALS

A. DEFINITIONS AND DISCLOSURE REQUIREMENT

1. Pursuant to an ordinance approved by the City Council on December 2, 1998, the Undersigned must indicate whether it had a "business relationship" with a City elected official in the 12 months before the date this EDS is signed.

2. A "**business relationship**" means any "contractual or other private business dealing" of an official, or his or her spouse, or of any entity in which an official or his or her spouse has a "financial interest," with a person or entity which entitles an official to compensation or payment in the amount of \$2,500 or more in a calendar year; but a "financial interest" does not include: (i) any ownership through purchase at fair market value or inheritance of less than 1% of the shares of a corporation, or any corporate subsidiary, parent or affiliate thereof, regardless of the value of or dividends on such shares, if such shares are registered on a securities exchange pursuant to the Securities Exchange Act of 1934, as amended, (ii) the authorized compensation paid to an official or employee for his office or employment; (iii) any economic benefit provided equally to all residents of the City; (iv) a time or demand deposit in a financial institution; or (v) an endowment or insurance policy or annuity contract purchased from an insurance company. A "contractual or other private business dealing" does not include any employment relationship of an official's spouse with an entity when such spouse has no discretion concerning or input relating to the relationship between that entity and the City.

B. CERTIFICATION

1. Has the Undersigned had a "business relationship" with any City elected officials 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):

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If you are filing on behalf of an "Entity holding an interest in an Applicant," go to Section Seven (Notice and Acknowledgment Regarding City Governmental Ethics and Campaign Finance Ordinances). The following sections Three through Six are to be completed only by Applicant in Applicant's EDS:

SECTION THREE: DISCLOSURE OF RETAINED PARTIES

A. DEFINITIONS AND DISCLOSURE REQUIREMENTS

1. Pursuant to Executive Order 97-1, every City contract, lease, and all matters requiring City approval must be accompanied by a statement disclosing certain information about attorneys, lobbyists, accountants, consultants, subcontractors, and any other person whom the Undersigned has retained or expects to retain in connection with the matter in connection with which this EDS is submitted. In particular, the Undersigned must disclose the name of each such person, his/her business address, the nature of the relationship, and the amount of the fees paid or estimated to be paid. The Undersigned is not required to disclose employees who are paid solely through the Undersigned's regular payroll.

"Lobbyist" means any person (i) who, for compensation or on behalf of any person other than himself, undertakes to influence any legislative or administrative action, or (ii) any part of whose duty as an employee of another includes undertaking to influence any legislative or administrative action.

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

B. CERTIFICATION

Each and every attorney, lobbyist, accountant, consultant, subcontractor, or other person retained or anticipated to be retained directly by the Undersigned with respect to or in connection with the project or transaction that is the subject of this EDS is listed below:

Name	Business Address	Relationship to Undersigned (attorney, lobbyist, etc., retained or anticipated to be retained)	Fees (indicate whether paid or estimated)

CHECK HERE IF NO SUCH PERSONS HAVE BEEN RETAINED DIRECTLY BY THE UNDERSIGNED OR ARE ANTICIPATED TO BE RETAINED DIRECTLY BY THE UNDERSIGNED: X

SECTION FOUR: CERTIFICATIONS BY APPLICANT

I. CERTIFICATION OF COMPLIANCE

A. The Undersigned has not, in the past five years, been found in violation of any City, state or federal environmental law or regulation. If there have been any such violations, note them below:

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B. The Undersigned is not delinquent in the payment of any tax administered by the Illinois Department of Revenue, nor is the Undersigned delinquent in paying any fine, fee, tax or other charge owed to the City. This includes all water charges, sewer charges, license fees, parking tickets, property taxes or sales taxes. If there are any such delinquencies, note them below:

C. The Undersigned hereby certifies that (1) any contractors/subcontractors hired or to be hired in connection with the City project or transaction that is the subject of this EDS have not, in the past five years, been found in violation of any City, state or federal environmental law or regulation, (2) the Undersigned will not, without the City's prior written consent, use any contractors/ subcontractors who have committed such violations, and (3) the Undersigned will not use any facility on the U.S. EPA's List of Violating Facilities in connection with the project or transaction for the duration of time that such facility remains on the list.

If the Undersigned is unable to so certify, provide an explanation:

II. CHILD SUPPORT OBLIGATIONS- CERTIFICATION REGARDING COURT-ORDERED CHILD SUPPORT COMPLIANCE

For purposes of this part, "Substantial Owner" means any person who owns or holds a 10 % or more interest in the Undersigned. *Note: This may include individuals disclosed in Part One (Disclosure of Ownership Interests), and individuals disclosed in an EDS filed by an "Entity holding an interest in the Applicant."*

If the Undersigned's response below is #1 or #2, then all of the Undersigned's Substantial Owners must remain in compliance with any such child support obligations until the transaction is completed. Failure of the Undersigned's Substantial Owners to remain in compliance with their child support obligations in the manner set forth in either #1 or #2 constitutes an event of default.

Check one:

- ☒ 1. No Substantial Owner has been declared in arrearage on any child support obligations by the Circuit Court of Cook County or by another Illinois court of competent jurisdiction.
- ☐ 2. The Circuit Court of Cook County or another Illinois court of competent jurisdiction has issued an order declaring one or more Substantial Owners in arrearage on child support obligations. All such Substantial Owners, however, have entered into court-approved agreements for the payment of all such child support owed, **and** all such Substantial Owners are in compliance with such agreements.
- ☐ 3. The Circuit Court of Cook County or another Illinois court of competent jurisdiction has issued an order declaring one or more Substantial Owners in arrearage on child support obligations **and** (a) at least one such Substantial Owner has not entered into a court-approved agreement for the payment of all such child support owed; **or** (b) at least one such Substantial Owner is not in compliance with a court-approved agreement for the payment of all such child support owed; **or both** (a) and (b).
- ☐ 4. There are no Substantial Owners.

III. FURTHER CERTIFICATIONS

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A. The Undersigned and, if the Undersigned is a legal entity, its principals (officers, directors, partners, members, managers, executive director)

1. 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;
2. have not within a five-year period preceding the date hereof 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;
3. are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state or local) with commission of any of the offenses enumerated in clause (b) above;
4. 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
5. have not, within a five-year period preceding the date hereof, been convicted, or found liable in a civil proceeding, in any criminal or civil action instituted by the City or by the federal government, any state, or any other unit of local government.

B. The certifications in this subpart B concern:

- the Undersigned,
- any party participating in the performance of the project or transaction that is the subject of this EDS ("an **Applicable party**"),
- any "**Affiliated Entity**" (meaning an entity that, directly or indirectly, has the legal authority to control the Applicant or an Applicable Party as defined in § 2-29-320 of the Municipal Code),
- any responsible official of the Undersigned, any Applicable Party or any Affiliated Entity,
- any other official, agent or employee of the Undersigned, any Applicable Party or any Affiliated Entity, acting pursuant to the direction or authorization of a responsible official of the Undersigned, any Applicable Party or any Affiliated Entity —

None of the foregoing have, during the five years before the date this EDS is signed, or, with respect to an Applicable Party or any Affiliated Entity, during the five years before the date of such Applicable Party's or Affiliated Entity's contract or engagement in connection with the project or transaction that is the subject of the EDS:

1. 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;
2. 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
3. made an admission of such conduct described in (1) or (2) above that is a matter of record, but have not been prosecuted for such conduct.

C. The Undersigned understands and shall comply with (1) the applicable requirements of the Governmental Ethics Ordinance of the City, Title 2, Chapter 2-156 of the Municipal Code; and (2) all the applicable provisions of Chapter 2-56 of the Municipal Code (Office of the Inspector General).

D. Neither the Undersigned nor any employee, official, agent or partner of the Undersigned 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.

E. If the Undersigned is unable to certify to any of the above statements in this Part III, the Undersigned must explain below:

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[If no explanation appears or begins on the lines above, it will be conclusively presumed that the Undersigned certifies to each of the above statements.]

IV. CERTIFICATION ON STATUS AS FINANCIAL INSTITUTION

For purposes of this Part IV, under § 2-32-455(b) of the Municipal Code of Chicago, the term "Financial Institution" means a bank, savings and loan association, thrift, credit union, mortgage banker, mortgage broker, a trust company, a savings bank, an investment bank, a securities broker, a municipal securities broker, a securities dealer, a municipal securities dealer, a securities underwriter, a municipal securities underwriter, an investment trust, a venture capital company, a bank holding company, a financial services holding company, or any licensee under the Consumer Installment Loan Act, the Sales Finance Agency Act, or the Residential Mortgage Licensing Act. However, "financial institution" specifically shall not include any entity whose predominant business is the providing of tax deferred, defined contribution, pension plans to public employees in accordance with Section 403(b) and 457 of the Internal Revenue Code. [Additional definitions may be found in Section 2-32-455(b) of the Municipal Code of Chicago.]

A. CERTIFICATION

The Undersigned certifies that the Applicant [check one]

☐ is
☒ is not

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

B. If the Undersigned IS a financial institution, then the Undersigned pledges:

"We are not and will not become a predatory lender as defined in Chapter 2-32 of the Municipal Code of Chicago. 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 of Chicago. 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 Undersigned is unable to make this pledge because it or its affiliates are predatory lenders within the meaning of Chapter 2-32, explain here (attach additional pages if necessary):

V. CERTIFICATION REGARDING INTEREST IN CITY BUSINESS

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

1. In accordance with Section 2-156-110 of the Municipal Code of Chicago:

Does any official or employee of the City of Chicago have a financial interest in his or her own name or in the name of any other person in this contract, work, business, or transaction?

☐ Yes.
☒ No.

2. Unless sold pursuant to a process of competitive bidding, no official or employee shall have a financial interest in his or her own name or in the name of any other person in the purchase of any property that (i) belongs to the city, or (ii)

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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 section

Does the matter in connection with which this EDS is submitted involve a City Property Sale?

☐ Yes.

☒ No.

If you answered "yes" to question one above, identify the officials or employees having such interest and the nature of such interest:

Name

Business Address

Last 4 digits of SSN

If this contract, work, business or transaction with the City is ongoing, the Undersigned certifies that no official or employee shall have a financial interest during the duration hereof.

VI. CERTIFICATION REGARDING SLAVERY ERA BUSINESS

Chapter 2-92-585 of the Municipal Code of Chicago requires that any entity entering into a contract with the City of Chicago must complete an affidavit verifying that the entity has searched any and all records of the entity and any and all predecessor entities for records of investments or profits from slavery, the slave industry, or slaveholder insurance policies from the slavery era (including insurance policies issued to slaveholders that provided coverage for damage to or injury or death of their slaves) and must disclose in the affidavit such records to the City. In addition, the ordinance requires that the entity disclose in the affidavit the names of any slaves or slaveholders described in those records. Failure to comply with the ordinance makes the contract voidable on behalf of the City.

Please check either (1) or (2) below. If the Undersigned checks (2), the Undersigned must disclose below or in an attachment to this Affidavit all requisite information as set forth in that paragraph (2).

☒ 1. The Undersigned verifies that (a) the Undersigned has searched any and all records of the Undersigned and any and all predecessor entities for records of investments or profits from slavery, the slave industry, or slaveholder insurance policies, and (b) Undersigned has found no records of investments or profits from slavery, the slave industry, or slaveholder insurance policies and no records of names of any slaves or slaveholders.

☐ 2. The Undersigned verifies that, as a result of conducting the search in step (1)(a) above, the Undersigned has found records relating to investments or profits from slavery, the slave industry, or slaveholder insurance policies and/or the names of any slaves or slaveholders. The Undersigned verifies that the following constitutes full disclosure of all such records:

SECTION FIVE: CERTIFICATIONS FOR FEDERALLY-FUNDED MATTERS

I. CERTIFICATION REGARDING LOBBYING

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A. List below the names of all persons registered under the federal Lobbying Disclosure Act of 1995 who have made lobbying contacts on behalf of the Undersigned with respect to the contract, transaction, or project that is or are the subject of this EDS: [Begin list here, add sheets as necessary]:

[If no explanation appears or begins on the lines above, or if the letters "NA" appear, it will be conclusively presumed that the Undersigned means that NO persons registered under the Lobbying Disclosure Act of 1995 have made lobbying contacts on behalf of the Undersigned with respect to the matter in connection with which this EDS is submitted.]

B. The Undersigned has not spent and will not expend any federal appropriated funds to pay any person listed in Paragraph (A) above for his or her lobbying activities in connection with the contract or to pay any person 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 federally-funded contract, grant, loan, or cooperative agreement.

C. The Undersigned 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 (I.A.) and (I.B.) above.

If any funds other than federal appropriated funds have been or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with the federal contract, grant, loan, or cooperative agreement to which this EDS relates, the undersigned must complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

D. The Undersigned 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".

E. The Undersigned must obtain certifications equal in form and substance to paragraphs (I.A) through (I.D.) above from all subcontractors before it awards any subcontract. The Undersigned must maintain all such subcontractors' certifications for the duration of the contract and must make such certifications promptly available to the City upon request.

II. CERTIFICATION REGARDING NONSEGREGATED FACILITIES

A. The Undersigned does not and will not maintain or provide for its employees any segregated facilities at any of its establishments, and it does not and will not permit its employees to perform their services at any location under its control where segregated facilities are maintained. The Undersigned agrees that a breach of this certification is a violation of the Equal Opportunity clause in the contract.

"Segregated facilities," as used in this provision, means any waiting rooms, work areas, restrooms, washrooms, restaurants and other eating areas, time clocks, locker rooms and other storage or dressing areas, parking lots, drinking fountains, recreation or entertainment areas, transportation, and housing facilities provided for employees, that are segregated by explicit directive or are in fact segregated on the basis of race, color, religion, or national origin because of habit, local custom, or otherwise.

B. The Undersigned will, before the award of subcontracts, obtain identical certifications from proposed subcontractors under which the subcontractor will be subject to the equal opportunity clause. Contracts and subcontracts exceeding \$10,000, or having an aggregate value exceeding \$10,000 in any 12-month period, are generally subject to the equal opportunity clause. See 41 CFR Part 60 for further information regarding the equal opportunity clause. (the Undersigned must retain the

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certifications required by this paragraph F for the duration of the contract and must make such certifications promptly available to the City upon request.

C. The Undersigned will forward the notice set forth below to proposed subcontractors:

NOTICE TO PROSPECTIVE SUBCONTRACTORS OF REQUIREMENTS FOR CERTIFICATIONS OF NONSEGREGATED FACILITIES

Subcontractors must submit to the Contractor a Certification of Nonsegregated Facilities before the award of any subcontract under which the subcontractor will be subject to the federal equal opportunity clause. The subcontractor may submit such certifications either for each subcontract or for all subcontracts during a period (e.g., quarterly, semiannually, or annually).

III. CERTIFICATION REGARDING EQUAL EMPLOYMENT OPPORTUNITY

Federal regulations require prospective contractors (the Undersigned) and proposed subcontractors to submit the following information with their bids or in writing at the outset of negotiations.

- A. 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
- B. Have you participated in any previous contracts or subcontracts subject to the equal opportunity clause?
☒ Yes ☐ No
- C. 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

SECTION SIX: NOTICE AND ACKNOWLEDGMENT REGARDING LIVING WAGE ORDINANCE

Section 2-92-610 of the Municipal Code of Chicago ("**Living Wage Ordinance**") requires that a specified minimum living wage ("base wage") be paid to particular categories of workers employed in connection with the performance of City contracts. The ordinance was amended effective January 1, 2003 to provide for a higher base wage, and regular increases to that wage. The amended ordinance applies to agreements predating the amendment as well as to new agreements.

BY CHECKING THIS BOX ☒ UNDERSIGNED ACKNOWLEDGES THAT APPLICANT MUST COMPLY WITH THE LIVING WAGE ORDINANCE.

BY CHECKING THIS BOX ☐ UNDERSIGNED ACKNOWLEDGES AND AGREES THAT IF THIS EDS IS BEING SUBMITTED IN CONNECTION WITH A MODIFICATION TO A PRIOR AGREEMENT, OR WITH A NEW AGREEMENT, THE FOLLOWING LIVING WAGE PROVISIONS SHALL BECOME PART OF SUCH MODIFICATION OR AGREEMENT AND SUPERSEDE OR REPLACE ANY LIVING WAGE PROVISIONS THAT MAY BE CONTAINED IN SUCH MODIFICATION OR AGREEMENT:

A. Under Section 2-92-610 of the Municipal Code of Chicago the base wage applies for certain categories of workers employed in the performance of City contracts, specifically non-City employed security guards, parking attendants, day laborers, home and health care workers, cashiers, elevator operators, custodial workers, and clerical workers ("**Covered Employees**"). Accordingly, pursuant to Section 2-92-610 and regulations promulgated under it:

- 1) If the contractor has 25 or more full-time employees, and
- 2) If at any time during the performance of the contract the contractor and/or any subcontractor or any other entity that performs any portion of the contracted work (collectively "Performing Parties") uses 25 or more full-time security guards, or any number of other full-time Covered Employees, then

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- 3) The contractor must pay its Covered Employees, and must assure that all other Performing Parties pay their Covered Employees, not less than the minimum "Base Wage" as determined in accordance with this provision for all work performed pursuant to the contract.

B. The contractor's obligation to pay, and to assure payment of, the Base Wage will begin at any time during the contract term when the conditions set forth in A.1 and A.2 above are met, and will continue thereafter until the end of the contract

C. Prior to January 1, 2003, the Base Wage is \$7.60 per hour; beginning January 1, 2003, the Base Wage is \$9.05 per hour. As of July 1, 2003, and each July 1 thereafter, the Base Wage will be adjusted, using the most recent federal poverty guidelines for a family of four as published annually by the U.S. Department of Health and Human Services, to constitute the following: the poverty guidelines for a family of four divided by 2000 hours or the current base wage, whichever is higher. At all times during the term of this contract, contractor and all other Performing Parties must pay the Base Wage (as adjusted in accordance with the above). If the payment of prevailing wages is required for work or services done under this contract, and the prevailing wages for Covered Employees are higher than the Base Wage, then the contractor and all other Performing Parties must pay the prevailing wage rates.

D. The contractor must include provisions in all subcontracts requiring its subcontractors to pay the Base Wage to Covered Employees. The contractor agrees to provide the City with documentation acceptable to the Chief Procurement Officer demonstrating that all Covered Employees, whether employed by the Contractor or by a subcontractor, have been paid the Base Wage, upon the City's request for such documentation. The City may independently audit the contractor and/or subcontractors to verify compliance herewith. Failure to comply with the requirements of this Section will be an event of default under this contract, and further, failure to comply may result in ineligibility for any award of a City contract or subcontract for up to three (3) years.

E. Not-for-Profit Corporations: If the contractor is a corporation having Federal tax-exempt status under Section 501(c)(3) of the Internal Revenue Code and is recognized under Illinois not-for-profit law, then the provisions of Section A through D above do not apply.

All Undersigned, including "Entities holding an interest in an Applicant," must complete the remainder of this affidavit.

SECTION SEVEN: NOTICE AND ACKNOWLEDGEMENT REGARDING CITY GOVERNMENTAL ETHICS AND CAMPAIGN FINANCE ORDINANCES

The City's Governmental Ethics and Campaign Financing Ordinances, Chapters 2-156 and 2-164 of the City's Municipal Code, impose certain duties and obligations on persons seeking City contracts. The City of Chicago Board of Ethics has developed an ethics training program for persons seeking a City contract. The full text of these ordinances and the training program is available on line at www.cityofchicago.org/Ethics/, and may also be obtained from the City's Board of Ethics, 740 N. Sedgwick St., Suite 500, Chicago, IL 60610, (312) 744-9660.

BY CHECKING THIS BOX [☒] UNDERSIGNED EXPLICITLY ACKNOWLEDGES THAT THE UNDERSIGNED UNDERSTANDS THAT THE CITY'S GOVERNMENTAL ETHICS AND CAMPAIGN FINANCING ORDINANCES:

- 1) Provide that any contract obtained, entered into or performed in violation of the City's ethics laws can be cancelled by the City.
- 2) Limit the gifts and favors any person can give, or offer to give, to any City official, employee, contractor or candidate for elected City office; more specifically, persons who are seeking a City contract:
 - a. cannot give them any cash gift or any anonymous gift;
 - b. cannot give any gift based on a mutual understanding that the City official's or employee's actions or decisions will be affected in any way by the gift;

CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT

- 3) Prohibit any City elected official or City employee from having a financial interest in any contract, work, transaction or business of the City, if that interest has a cost or present value of \$5,000 or more, or if that interest entitles the owner to receive more than \$2,500 per year.
- 4) Prohibit any City appointed official from having a financial interest in any contract, work, transaction or business of the City, unless the contract is wholly unrelated to what the appointed official does for the City.
- 5) Provide that City employees and officials cannot receive compensation or anything of value in return for advice or assistance on matters concerning the operation or business of the City, unless those services are wholly unrelated to their City duties.
- 6) Provide that former City employees and officials cannot assist or represent another on any matter involving the City if, while with the City, they were personally and substantially involved in the same matter.
- 7) Provide that former City employees and officials cannot assist or represent another on a City contract if, while with the City, they helped formulate or supervise that contract.

SECTION EIGHT: CONTRACT INCORPORATION, COMPLIANCE, PENALTIES, DISCLOSURE

The Undersigned understands and agrees that:

A. The certifications, disclosures, and acknowledgments contained in this EDS will become part of any contract awarded to the Applicant by the City in connection with the project or transaction that is the subject of this EDS, 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 assisting the project or transaction that is the subject of this EDS. The Undersigned understands that it must comply with the statutes, ordinances, and regulations on which this EDS is based, and with the certifications and acknowledgments contained in this EDS during the term and/or performance of the project or transaction that is the subject of this EDS.

B. If the City determines that any information provided in this EDS is false, incomplete or inaccurate, the City may terminate its contract with the Applicant, terminate any City assistance in connection with the project or transaction that is the subject of this EDS, terminate the Undersigned's participation in the project or transaction, and/or decline to allow the Undersigned to participate in other transactions with the City.

C. 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 Undersigned 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.

DONNA GRUENBERG

Date: JUNE 24, 2003

(Print or type name of individual or legal entity submitting this EDS)

By: *Donna Gruenberg*
(signature)

Title of signatory: PRESIDENT

Print or type name of signatory: DONNA GRUENBERG

(Representative capacity)

County of COOK

State of ILLINOIS

Acknowledged under oath on [date] JUNE 24, 2003

before me by DONNA GRUENBERG

as [title] PRESIDENT

of [firm] RAE PRODUCTS AND CHEMICALS CORP.

Notary Public

Commission expires Oct 1, 2004



CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT

(Individual capacity)

County of COOK
State of ILLINOIS
Acknowledged under oath on [date] JUNE 24, 2003
before me by DONNA GRUENBERG

Notary Public

Commission expires _____

(Do not write below this line except to recertify prior to submission to City Council or on the date of closing.)

RECERTIFICATION

The Undersigned hereby represents, under penalty of perjury, that all certifications and statements contained in this 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 reaffirms its acknowledgments.

DONNA GRUENBERG

Date: JUNE 24, 2003

(Print or type name of individual or legal entity submitting this EDS)

By: *Donna Gruenberg*

(sign here)

Print or type name of signatory: DONNA GRUENBERG

Title of signatory: PRESIDENT

Subscribed to before me on [date] 6/25, at COOK County, ILLINOIS [state].

Marlene Taylor

Notary Public. Commission expires: Oct 1, 2004

