

THE COUNCIL OF THE CITY OF NEW YORK

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Speaker of the Council

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Chair, Committee on Oversight and Investigations



Report on the Fiscal 2017 Preliminary Budget and the Fiscal 2016 Preliminary Mayor's Management Report Department of Investigations March 7, 2016

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Department of Investigations Overview

The Department of Investigation (DOI or the Department) promotes and maintains integrity and efficiency in government operations. Through its Inspector General (IG) and other investigative staff, the Department investigates and refers for prosecution City employees and contractors engaged in corrupt or fraudulent activities or unethical conduct. Investigations may involve any agency, officer, or employee of the City, as well as those who do business with, or receive benefits from the City. The Department provides the Mayor with recommendations for corrective actions to assist City agencies in the design and interpretation of strategies to limit opportunities for criminal misconduct and waste.

This report provides a review of DOI's Preliminary Budget for Fiscal 2017 and the Fiscal 2016 Preliminary Mayor's Management Report (PMMR). The first section presents significant highlights of the \$44.2 million Fiscal 2017 expense budget. The report follows with a presentation of the Department's budget by units of appropriation and then a review of the PMMR report for Fiscal 2016. Finally, the appendices highlight budget actions in the November and Preliminary Financial Plans and DOI's Fiscal 2016 Contract Budget.

Fiscal 2017 Preliminary Budget Highlights

Department of Investigation Expense Budget						
	2014	2015	2016	Preliminary Plan		*Difference
<i>Dollars in Thousands</i>	Actual	Actual	Adopted	2016	2017	2016 - 2017
Personal Services	\$16,050	\$19,311	\$23,479	\$27,015	\$27,975	\$4,496
Other Than Personal Services	12,980	15,672	7,519	23,687	16,266	8,747
TOTAL	\$29,030	\$34,983	\$30,998	\$50,702	\$44,241	\$13,243

**The difference of Fiscal 2016 Adopted Budget compared to Fiscal 2017 Preliminary Budget.*

The City's Preliminary Fiscal 2017 Budget is \$82.1 billion, \$3.6 billion more than the Fiscal 2016 Adopted Budget of \$78.5 billion. City funds (City tax and non-tax revenues) total \$59.9 billion, up \$2.9 billion from \$57 billion in the Adopted Budget. DOI's Fiscal 2017 Preliminary Budget totals \$44.2 million (including City and non-City funds), which represents an increase of 42.7 percent or \$13.2 million from its Fiscal 2016 Adopted Budget of \$30.9 million. The \$13.2 million increase is for new needs totaling \$4.5 million and other adjustments of \$8.9 million. See Appendix A on page 11 for a list of budget actions included in the November and Preliminary Financial Plans.

The following are major budget changes included in the Fiscal 2017 Preliminary Plan:

- Agency Expansion.** The November and Preliminary Financial Plans included two actions that increased DOI's budgeted headcount by 59 personnel. The increase in the Fiscal 2017 Preliminary Budget totals \$4.5 million in City funds. The 59 positions will be assigned to multiple investigative squads covering various agencies. The largest squad increase will be for the Department of Buildings. The Department of Building Inspector General will add an additional 25 positions to mirror a corresponding headcount increase at the Department of Buildings. Lastly, 21 positions are being added to enhance investigations across the agency. To

enhance investigations, DOI will be hiring inspector generals, special investigators, data analysts, and other support staff.

Financial Summary

DOI Financial Summary						
<i>Dollars in Thousands</i>						
	2014	2015	2016	Preliminary Plan		*Difference
	Actual	Actual	Adopted	2016	2017	2016 - 2017
Spending						
Personal Services	\$16,050	\$19,311	\$23,479	\$27,015	\$27,975	\$4,496
Other Than Personal Services	12,980	15,672	7,519	23,687	16,266	8,747
TOTAL	\$29,030	\$34,983	\$30,998	\$50,702	\$44,241	\$13,243
Budget by Program Area						
Agency Operations	\$25,097	\$31,369	\$25,831	\$43,114	\$37,817	\$11,986
Inspector General	3,933	3,614	5,167	7,588	6,424	1,257
TOTAL	\$29,030	\$34,983	\$30,998	\$50,702	\$44,241	\$13,243
Funding						
City Funds			\$24,899	\$27,186	\$29,434	\$4,535
Other Categorical			604	1,947	604	0
State			0	100	0	0
Federal - Community Development			60	4,387	5,180	5,120
Federal - Other			706	9,766	3,148	2,441
Intra City			4,728	7,316	5,875	1,147
TOTAL	\$29,030	\$34,983	\$30,998	\$50,702	\$44,241	\$13,243
Budgeted Headcount						
Full-Time Civilian Positions - Agency Operations	155	219	239	302	294	55
Full-Time Civilian Positions - Inspector General	55	43	67	85	67	0
TOTAL	210	262	306	387	361	0

**The difference of Fiscal 2016 Adopted Budget compared to Fiscal 2017 Preliminary Budget.*

The Fiscal 2017 Preliminary Budget for DOI totals \$44.2 million, up \$13.2 million from \$31 million in the Fiscal 2016 Adopted Budget. The Department's City-funded budget increases by \$4.5 million or 18 percent since Adoption due to new positions and collective bargaining agreements. DOI's non-City funds increase by \$8.7 million from Fiscal 2016 Adoption to the Fiscal 2017 Preliminary Budget. The preliminary PS budget for Fiscal 2017 increases by \$4.5 million, while the OTPS budget increases by \$8.7 million as compared to the Fiscal 2016 Adopted Budget.

The Fiscal 2016 budget of \$50.7 million has increased by \$19.7 million since adoption. Of the \$19.7 million increase, the Department's City-funded budget makes up \$2.3 million of the total change. The increase also includes \$17.4 million in non-City funds, which is a typical mid-year increase for the Department. Of the \$17.4 million increase in non-City funds, \$13.4 million or 76.8 percent represents an increase in federal funding. Federal funding is generally not part of the Department's preliminary appropriations, but is

modified into the budget over the course of the fiscal year when the funding is received or granted. The Department has received federal funding from asset forfeiture cases and other federal grants. Other categorical funds and intra-city funds received by the Department support agreements the DOI has with specific agencies to conduct specialized investigations or oversight.

From Fiscal 2016 Adoption to the Fiscal 2017 Preliminary Budget, the Department's budgeted headcount increases by 55 due to several headcount needs across the agency.

Units of Appropriation

The following two tables display the budgets for each of the program areas for the Department from Fiscal 2014 actual spending through the Fiscal 2017 Preliminary Budget. The program areas, agency operations and inspector generals, are comprised of units of appropriation pairing. Each shows spending, funding summaries, and budgeted headcount.

Agency Operations (001 & 002)

Agency Operation						
<i>Dollars in Thousands</i>						
	2014	2015	2016	Preliminary Plan		*Difference
	Actual	Actual	Adopted	2016	2017	2016 - 2017
Spending						
Personal Services						
Full-Time Salaried - Civilian	\$12,830	\$15,573	\$18,784	\$21,232	\$23,120	\$4,336
Fringe Benefits	0	0	96	151	138	42
Additional Gross Pay	130	885	94	94	94	0
Unsalaries	30	43	63	63	64	1
Overtime - Civilian	326	371	40	390	40	0
Other Salaried	0	0	10	10	10	0
Full-Time Salaried - Uniformed	5	1	0	0	0	0
P.S. Other	(1)	0	0	0	0	0
Subtotal	\$13,320	\$16,873	\$19,087	\$21,941	\$23,467	\$4,380
Other Than Personal Services						
Other Services & Charges	\$10,712	\$11,674	\$5,405	\$14,870	\$12,691	\$7,286
Property & Equipment	402	1,788	515	2,540	706	191
Contractual Services	442	442	442	442	442	0
Supplies & Materials	202	247	231	452	331	100
Fixed & Misc. Charges	19	73	60	368	70	10
Subtotal	\$11,777	\$14,223	\$6,652	\$18,670	\$14,239	\$7,587
TOTAL	\$25,097	\$31,096	\$25,739	\$40,611	\$37,706	\$11,966
Funding						
City Funds			\$24,512	\$26,965	\$28,937	\$4,425

	2014	2015	2016	Preliminary Plan		*Difference
	Actual	Actual	Adopted	2016	2017	2016 - 2017
Other Categorical			400	1,743	400	0
Federal - Community Development			60	4,387	5,180	5,120
Federal - Other			706	9,766	3,148	2,441
Intra City			153	153	153	0
State			0	100	0	0
TOTAL	\$25,097	\$31,096	\$25,831	\$43,114	\$37,817	\$11,986
Budgeted Headcount						
Full-Time Positions - Civilian	155	219	239	302	294	55
TOTAL	155	219	239	302	294	55

**The difference of Fiscal 2016 Adopted Budget compared to Fiscal 2017 Preliminary Budget.*

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Funding in the Agency Operations units of appropriation (U/A 001-PS and U/A 002-OTPS) supports the administrative and investigative functions of DOI, as well as its principal function of promoting integrity and efficiency in City government. The PS appropriation funds DOI's inspectors general and other investigative staff through whom the agency investigates and refers for prosecution City employees and contractors engaged in corrupt or fraudulent activities or unethical conduct. U/A 001 also captures the Commission to Combat Police Corruption, Special Commissioner of Investigation to the Department of Education, the Inspector General for the New York Police Department (NYPD), the Department's outreach efforts, New York City Marshals, policy and program development, and the technical support unit. Funding in the Other Than Personal Services (OTPS) unit of appropriation (U/A 002) enables the agency to purchase supplies, materials and other services required to support agency operations.

The Fiscal 2017 Preliminary Budget for Agency Operations totals \$37.7 million (including City and non-City funds). This is an increase of \$11.9 million or 46.4 percent as compared to the Department's Fiscal 2016 Adopted Budget. The increase of \$11.9 million in the Fiscal 2017 Preliminary Budget is due to an increase of \$4.4 million in City funds and \$7.6 million in federal funds when compared to the Fiscal 2016 Adopted Budget. The Department's Fiscal 2017 Preliminary PS budget increases by \$4.4 million as compared to the Fiscal 2016 Adopted PS Budget of \$19.1 million. The Department's Fiscal 2017 Preliminary OTPS budget totals \$14.2 million, an increase of \$7.6 million when compared to the Fiscal 2016 Adopted Budget. The civilian headcount for the Agency Operations program area in Fiscal 2017 totals 294, which represents an increase of 55 positions as compared to the Fiscal 2016 Adopted total of 239.

Changes to the Agency Operation program area include the following:

- **Agency Expansion.** The November Financial Plan baselined a total of \$1.5 million in City funding for an additional 38 positions beginning in Fiscal 2016. Of the \$1.5 million, \$1.4 million supports PS costs and \$95,000 supports OTPS costs associated with the additional 38 staff. The funding grows to \$2.9 million in Fiscal 2017 and in the out years, which represents the full-year value of the additional headcount.

- **Department of Building Inspector General Staff Increase.** Part of the Agency Expansion funding adds an additional 25 staff for the Inspector General unit for the Department of Buildings (DOB). Of this additional 25 staff, DOI will be hiring 17 investigators and eight administrative staff. This staff increase mirrors a corresponding headcount increase at Department of Building to cover more building inspections across the City.
- **Additional Staff.** In addition to the Department of Building squad increase, DOI will hire three new staff for enhanced peace officer training. Currently, DOI provides a three-month peace officer training for its investigative staff. This funding will allow them to hire additional trainers to increase the length of training offered. An additional four personnel will support the background unit, which provides background investigations for new hires at City agencies. Lastly, four positions will support additional human resource staff, whereas two positions will provide support to administrative management staff at DOI. DOI anticipates that all positions will be filled by the end of Fiscal 2016.
- **Investigation Enhancement.** The Fiscal 2017 Preliminary Plan adds \$742,500 in City funds to the PS budget and \$52,500 in City funds to the OTPS budget for Fiscal 2016 for an additional 21 positions at DOI. The full-year value of this baselined enhancement totals \$1.6 million, with \$1.5 million for PS costs and \$105,000 for OTPS costs in Fiscal 2017 and in the outyears. These positions cover a variety of squads and units to provide investigative enhancements across the agency. The types of positions added include assistant inspector generals, special investigators, data analysts, programmers, and support staff. The enhancement will add coverage to two squads, information technology, investigative operations, and administration divisions.

Inspector General (003 & 004)

Inspector General						
<i>Dollars in Thousands</i>						
	2014	2015	2016	Preliminary Plan		*Difference
	Actual	Actual	Adopted	2016	2017	2016 - 2017
Spending						
Personal Services						
Full-Time Salaried - Civilian	\$2,628	\$2,312	\$4,329	\$5,012	\$4,446	\$117
Fringe Benefits	0	0	41	41	41	0
Additional Gross Pay	33	87	16	16	16	0
Overtime – Civilian	69	40	6	6	6	0
Subtotal	\$2,730	\$2,438	\$4,392	\$5,075	\$4,509	\$117
Other Than Personal Services						
Other Services & Charges	\$482	\$470	\$543	\$1,687	\$1,683	\$1,140
Supplies & Materials	56	26	73	81	73	0
Property & Equipment	12	14	72	38	72	0
Contractual Services	637	649	71	685	71	0
Fixed & Misc. Charges	16	17	17	23	17	0
Subtotal	\$1,203	\$1,176	\$775	\$2,513	\$1,915	\$1,140
TOTAL	\$3,933	\$3,614	\$5,167	\$7,588	\$6,424	\$1,257
Funding						
City Funds			\$387	\$221	\$497	\$110
Other Categorical			204	204	204	0
Intra City			4,575	7,163	5,722	1,147
TOTAL	\$3,933	\$3,614	\$5,167	\$7,588	\$6,424	\$1,257
Budgeted Headcount						
Full-Time Positions - Civilian	55	43	67	85	67	0
TOTAL	55	43	67	85	67	0

**The difference of Fiscal 2016 Adopted Budget compared to Fiscal 2017 Preliminary Budget.*

The Inspector General (IG) PS unit of appropriation (U/A 003) covers inspector generals and other investigative staff funded through intra-city funds to provide specialized investigations and oversight of agencies, such as the Administration for Children's Services (ACS), the Economic Development Corporation, the Human Resources Administration (HRA), the Department of Environmental Protection (DEP), the Department of Buildings (DOB), New York City Health and Hospitals (NYC H+H), and the Department of Design and Construction (DDC). These agencies have agreements with DOI to investigate specific programs or areas of corruption within their agency. This U/A also includes the Fingerprint Unit. Funding in the IG OTPS unit of appropriation (U/A 004) enables the agency to purchase supplies and equipment.

The Fiscal 2017 Preliminary Budget for the Inspector General program area grows by \$1.3 million or 24.3 percent compared to the Fiscal 2016 Adopted Budget. A majority of the \$1.3 million increase is in the Department's Fiscal 2017 OTPS budget through intra-city funding from the Department of Information Technology and Telecommunication (DOITT).

Changes to the Inspector General program area include the following:

- **Integrity Monitor for Emergency Communications Transformation Program (ECTP).** The Fiscal 2017 Preliminary Plan adds \$1.1 million in intra-city funding from DOITT to the Fiscal 2016 OTPS budget for the ECTP integrity monitor contract. This funding continues in Fiscal 2017. The value decreases to \$360,000 in Fiscal 2018.

Fiscal 2016 PMMR Performance Measures

The Fiscal 2016 PMMR outlines the responsibilities and goals of DOI. According to the Fiscal 2016 PMMR, DOI promotes and maintains integrity and efficiency in City government operations by investigating City employees and contractors who may be engaged in corrupt activities. DOI has oversight of more than 45 Mayoral agencies, and 200 City boards and commissions.

According to the Fiscal 2016 PMMR, DOI has three service goals. The first goal is to maintain the integrity of City agencies, employees, contract vendors and other recipients of City funds. The second service goal is to improve the impact and effectiveness of investigations. The last service goal is to ensure that all background investigations and fingerprint checks are conducted in a timely manner. The chart below from the PMMR provides all performance statistics for Fiscal 2013 to 2015, target data for Fiscal 2016 and Fiscal 2017, and four-month actual data for Fiscal 2015 and Fiscal 2016.

DOI Performance Indicators	Actual			Target		4-Month Actual	
	FY13	FY14	FY15	FY16	FY17	FY15	FY16
Complaints	12,659	12,624	11,445	*	*	4,032	3,907
Written policy and procedure recommendations to City agencies	564	280	368	300	300	73	86
Written policy and procedure recommendations implemented by City agencies (%)	72%	45%	49%	75%	75%	NA	NA
Corruption prevention and whistleblower lectures conducted	611	535	378	400	400	78	141
Corruption prevention lecture e-learning attendees	NA	NA	1,797	*	*	NA	2,674
Integrity monitoring agreements	21	18	16	*	*	17	17
VENDEX checks completed within 30 days (%)	93%	88%	99%	95%	95%	98%	100%
Average time to complete a VENDEX check (days)	21	25	24	*	*	21	23
Vendex checks completed	41,977	42,134	41,470	*	*	12,303	15,112
Average time to complete an investigation (days)	163	160	195	185	180	172	151
- Major investigations	650	357	843	*	*	NA	NA
- Significant investigations	219	327	244	*	*	156	NA
- Routine investigations	157	156	193	*	*	172	151
Current investigations	1,870	1,650	1,297	*	*	710	825
Investigations closed	1,298	1,127	913	*	*	301	318
Referrals for civil and administrative action	1,235	929	1,322	*	*	211	223
Referrals for criminal prosecution	1,053	612	601	*	*	90	172
Arrests resulting from DOI investigations	840	516	498	*	*	83	125
Financial recoveries to the City ordered/agreed (\$000)	\$38,428	\$11,144	\$10,603	UP	UP	\$1,810	\$1,130
Financial recoveries to the City collected (\$000)	\$6,041	\$33,248	\$6,034	UP	UP	\$1,240	\$1,081
Financial recoveries to individuals and non-City entities ordered/agreed (\$000)	\$49,692	\$24,300	\$11,077	*	*	96	124
Average time to complete a background investigation (days)	266	230	188	300	300	196	234
Background investigations closed within six months (%)	59%	55%	61%	60%	60%	58%	57%
Background investigations for Mayoral agencies	1,328	2,150	1,654	*	*	684	475

DOI Performance Indicators	Actual			Target		4-Month Actual	
	FY13	FY14	FY15	FY16	FY17	FY15	FY16
Background investigations for non-Mayoral agencies	551	482	505	*	*	163	141
Time to notify agencies of prospective childcare, home care and family care workers with criminal records after receipt from State Division of Criminal Justice Services and FBI (days)	1	1	1	2	2	1	1
Time to notify agencies of arrest notifications for current childcare, home care and family care workers after receipt from State Division of Criminal Justice Services (days)	2	1	1	*	*	1	1
Completed requests for interpretation	38	17	24	*	*	NA	NA
Letters responded to in 14 days (%)	100%	100%	100%	*	*	100%	100%
E-mails responded to in 14 days (%)	100%	100%	100%	*	*	100%	100%
Number of emails sent to an agency (through NYC.gov or a publicized agency email address)	1,954	2,453	2,012	*	*	685	548
Number of letters sent to an agency	3,043	3,268	2,867	*	*	1,067	802
Average wait time to speak with a customer service agent (minutes)	3	3	3	*	*	NA	NA
CORE facility rating	93	93	98	*	*	NA	NA

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DOI continues to focus its strategy on addressing corruption comprehensively through systemic investigations. To that end, several indicators have been impacted by this focus.

- The number of written policy and procedure recommendations to City agencies increased by 17.8 percent in the first four months of Fiscal 2016 compared to Fiscal 2015. Some current examples of these policy and procedural recommendations sent to City agencies include the two NYPD IG reports on body-worn camera pilot program and de-escalation tactics, employee fraud at HRA, program vulnerabilities at the Department for the Aging, and breakdowns by Corizon Health Inc. at Department of Correction (DOC) facilities.
- Corruption prevention and whistleblower lectures increased by 63 or 80.8 percent when comparing the first four months of Fiscal 2015 to Fiscal 2016. DOI attributes this to its e-learning module. In Fiscal 2015, DOI used federal asset forfeiture funds to support the growth and development of this e-learning module. The number of attendees to DOI's corruption prevention e-learning module for the first four months of Fiscal 2016 totaled 2,674.
- The number of complaints when comparing the first four months from Fiscal 2015 to Fiscal 2016 declined 3.1 percent with 125 complaints received.
- The number of current investigations increased by 16.2 percent of 115 cases when comparing the first four months of Fiscal 2016 to the same reporting period in Fiscal 2015. The Fiscal 2017 Preliminary Plan adds additional investigator positions and analyst positions to support the increased number of investigations.
- The number of investigations closed increased by six percent in the first four months of Fiscal 2016 compared to the first four months of Fiscal 2015.

- The average time to complete an investigation in days declined by 21 days or 12.2 percent when comparing the first four months of Fiscal 2015 and Fiscal 2016. DOI also decreased its target number of days for Fiscal 2017 from 185 days in Fiscal 2016 to 180 days in Fiscal 2017.
- The number of arrests resulting from DOI investigations increased from 83 to 125 or 42 when comparing the first four months of Fiscal 2015 to the same reporting period in Fiscal 2016. This can be attributed to several comprehensive investigations being closed. For example, since the expansion of the IG unit for DOC, DOI has arrested two dozen correction officers and staff and more than three dozen inmates. In addition to these large scale arrests, they have suggested significant reforms to DOC's screening and recruitment process.
- The number of referrals for civil and administrative action and for criminal prosecution increased six percent and 91 percent, respectively.
- Financial recoveries collected by the City declined by 13 percent when comparing the first four months of Fiscal 2015 and 2016. In addition, the financial recoveries to the City ordered or agreed upon by DOI declined by 37.6 percent.
- The average time to complete background investigations in days increased by 38 days or 19.4 percent when comparing the same four month period in Fiscal 2015 and Fiscal 2016. In the Fiscal 2017 Preliminary Plan, DOI has added an additional four positions to the background investigations units to address this concern.

Appendix A: Budget Actions in the November and the Preliminary Plans

<i>Dollars in Thousands</i>	FY 2016			FY 2017		
	City	Non-City	Total	City	Non-City	Total
DOI Budget as of the Adopted 2016 Budget	\$24,900	\$6,098	\$30,998	\$24,879	\$5,876	\$30,755
New Needs						
Agency Expansion	\$1,469	\$0	\$1,469	\$2,937	\$0	\$2,937
Investigation Enhancement	795	0	795	1,590	0	1,590
Subtotal, New Needs	\$2,264	\$0	\$2,264	\$4,527	\$0	\$4,527
Other Adjustments						
ECTP/DOI - Integrity Monitor	\$0	\$1,140	\$1,140	\$0	\$1,140	\$1,140
OSA CB Increase	23	0	23	28	0	28
Other Categorical Funding Adjustments	0	1,343	1,343	0	0	0
State Funding Adjustments	0	100	100	0	0	0
Federal Funding Adjustments	0	9,060	9,060	0	2,641	2,641
Federal Community Development Funding Adjustments	0	4,327	4,327	0	5,150	5,150
Intra-City Funding Adjustments	0	1,448	1,448	0		0
Subtotal, Other Adjustments	\$23	\$17,417	\$17,440	\$28	\$8,931	\$8,959
TOTAL, All Changes	\$2,286	\$17,417	\$19,704	\$4,556	\$8,931	\$13,486
DOI Budget as of the Preliminary 2017 Budget	\$27,186	\$23,515	\$50,702	\$29,435	\$14,807	\$44,241

Appendix B: Contract Charts

The following table provides DOI's Preliminary Contract Budget for Fiscal 2017.

DOI Fiscal 2017 Preliminary Contract Budget				
<i>Dollars in Thousands</i>				
Category	Fiscal 2016 Adopted	Number of Contracts	Fiscal 2017 Preliminary	Number of Contracts
Contractual Services General	\$234	1	\$234	1
Telecommunications Maintenance	11	3	11	3
Maintenance & Repair General	13	3	13	3
Office Equipment Maintenance	5	3	5	3
Data Processing Equipment	41	3	61	3
Printing Contracts	11	4	11	4
Security Services	2	1	2	1
Temporary Services	77	5	77	5
Training Programs for City Employees	1	1	1	1
Professional Services: Computer Services	6	2	6	2
Professional Services: Other	203	5	203	5
TOTAL	\$604	31	\$624	31