

Invitation to Bid

City of Milwaukee

CITY OF MILWAUKEE
200 E WELLS STREET
MILWAUKEE WI 53202
United States

CIMIL

Vendor: 0001030455
WEBPAGE DOWNLOAD
<http://www.milwaukee.gov/citygov/daa/sp/sp.shtml>
MILWAUKEE WI 53202

Bid ID	Date	Buyer	Page
CIMIL-0000002117	04/28/2008	Michael Drzewiecki	1
Payment Terms	DateTime Bid Open	Closing	
PROMPT PAY	04/30/2008 01:00 PM	05/15/2008 04:45 PM	

Ship To: See Detail Below

Bill To: FIRE-ACCOUNTS PAYABLE 328-ADMIN
711 W WELLS ST 3RD FLOOR
MILWAUKEE WI 53233
United States

Line	Item	Description	Mfg ID	Mfg Item ID	Quantity	UOM	Need Date
1		VC FOR ZOLL DEFIBRILLATOR PARTS			1.0000	VEN	

Freight Terms: DEST **Ship Via:** NOT APPL
VENDOR CONTRACT FOR ZOLL BRAND DEFIBRILLATOR PARTS (NO SUBSTITUTE) FOR A PERIOD OF THREE YEARS FROM DATE OF AWARD.

ESTIMATED USAGE FOR THE THREE YEAR TERM OF THE CONTRACT IS \$36,000.00.

FOR EVALUATION PURPOSES, BIDDERS ARE REQUIRED TO PROVIDE THE LIST PRICE, THE DISCOUNT FROM THE LIST PRICE AND THE DISCOUNTED PRICE FOR ALL ITEMS LISTED ON THE ZOLL DEFIBRILLATOR PARTS LIST POSTED ON OUR WEBPAGE.

IN ADDITION, BIDDERS SHALL INDICATE IN THE SPACE PROVIDED HEREIN, THE NAME AND CATALOG NUMBER APPLICABLE TO THIS BID: _____

DELIVERY IS REQUIRED NO LATER THAN 7 CALENDAR DAYS AFTER PLACEMENT OF AN ORDER.

WILL YOU COMPLY WITH THIS REQUIREMENT? ___ YES ___ NO

NOTE: IF YOU CANNOT MEET THE 7 CALENDAR DAY DELIVERY REQUIREMENT, YOUR BID WILL BE CONSIDERED NON-RESPONSIVE!

FUEL AND/OR SHIPPING SURCHARGES ARE NOT ALLOWED AND WILL NOT BE PAID BY THE CITY OF MILWAUKEE.

FREIGHT INCREASE: IF THERE IS A FREIGHT INCREASE PRIOR TO DELIVERY OF THE PRODUCT, THE ADDITIONAL INCREASE MUST BE AT THE EXPENSE OF THE BIDDER/CONTRACTOR.

*** SIGNATURE REQUIRED ***

IT IS ONLY NECESSARY FOR YOU TO SIGN THE FIRST PAGE OF THE INVITATION TO BID, THE BINDING SIGNATURE PAGE AND THE PRICE LIST. YOUR SIGNATURE WILL SIGNIFY YOUR AGREEMENT TO ALL PRICING, TERMS AND CONDITIONS STATED HEREIN.

BIDDERS ARE, HOWEVER, REQUIRED TO COMPLETE AND RETURN ALL OF THE INVITATION TO BID PAGES WITH THEIR BID SUBMITTAL.

*** CONTACT PERSON ***

ANY QUESTIONS, CLARIFICATIONS, ETC. MUST BE DIRECTED TO MICHAEL DRZEWECKI VIA EMAIL (PREFERRED) AT MDRZEW@MILWAUKEE.GOV OR BY FAX AT 1-414-286-5976 NO LATER THAN MAY 8, 2008. REQUESTS RECEIVED AFTER MAY 8, 2008 WILL NOT BE CONSIDERED.

BIDDERS ARE SPECIFICALLY DIRECTED NOT TO CONTACT ANY CITY OF MILWAUKEE STAFF OTHER THAN MICHAEL DRZEWECKI FOR MEETINGS, CONFERENCES, OR TECHNICAL DISCUSSIONS THAT ARE RELATED TO THIS BID. UNAUTHORIZED CONTACT OF ANY CITY DEPARTMENT EMPLOYEE IS A CAUSE FOR REJECTION OF THE BID. ANY ADDITIONAL INFORMATION OR CLARIFICATIONS THAT ARE PROVIDED TO ONE BIDDER WILL BE PROVIDED TO ALL BIDDERS IN THE FORM OF AN ADDENDUM POSTED TO THE CITY'S WEB SITE (BIDS PENDING PAGE).

*** BID AND/OR SPECIFICATION APPEAL PROCESS ***

BIDDERS SHOULD SUBMIT A WRITTEN REQUEST TO MICHAEL DRZEWECKI FOR INTERPRETATION OR CORRECTION OF ANY AMBIGUITY OR INCONSISTENCY DISCOVERED IN THE BID, SPECIFICATIONS OR ATTACHMENTS. ALL REQUESTS FOR CHANGES, CLARIFICATIONS, ETC., TO THE BID RELATED SPECIFICATIONS OR ATTACHMENTS MUST BE SUBMITTED TO MICHAEL DRZEWECKI IN WRITING VIA EMAIL (PREFERRED) AT MDRZEW@MILWAUKEE.GOV OR BY FAX AT 1-414-286-5976 NO LATER THAN MAY 8, 2008. REQUESTS RECEIVED AFTER MAY 8, 2008 WILL NOT BE CONSIDERED.

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BIDDERS ARE CAUTIONED NOT TO CHANGE ANY OF THE TERMS OR CONDITIONS IN THE BID AND/OR SPECIFICATIONS WITHOUT THE WRITTEN APPROVAL OF THE DOA-PROCUREMENT SERVICES SECTION. ANY UNAUTHORIZED CHANGES WILL CONSTITUTE A COUNTEROFFER AND WILL SUBJECT THE BID TO REJECTION.

*** BID ADDENDUM ***

ANY CHANGES MADE AS A RESULT OF A WRITTEN REQUEST WILL BE ISSUED VIA A BID ADDENDUM, AND, IF NECESSARY, AN EXTENSION WILL BE MADE TO THE BID CLOSING DATE. ALL ADDENDA WILL BE POSTED TO THE CITY OF MILWAUKEE PROCUREMENT SERVICES WEBSITE: WWW.CITY.MILWAUKEE.GOV (BIDS PENDING PAGE). BIDDERS ARE RESPONSIBLE FOR CHECKING THIS WEBSITE FOR ANY FUTURE ADDENDA, ETC., PRIOR TO THE BID CLOSING DATE. ALL ADDENDA MUST BE SIGNED AND RETURNED BY THE BID CLOSING DATE AND TIME. BIDDERS WHO DO NOT RETURN THE ADDENDA MAY HAVE THEIR BID REJECTED. IF YOU ARE UNABLE TO ACCESS THE INTERNET, CONTACT DOA-PROCUREMENT SERVICES AT 414-286-3501 TO OBTAIN A HARD COPY.

THIS WILL BE A THREE (3) YEAR CONTRACT FROM DATE OF AWARD SUBJECT TO ANNUAL REVIEW BY THE CITY WITHIN SIXTY (60) DAYS OF THE ANNIVERSARY DATE. THE VOLUME LISTED IS AN ESTIMATE AND IS NO GUARANTEE AS TO THE AMOUNT THAT WILL BE PURCHASED DURING THE TERM OF THE CONTRACT. CONTRACT CONTINUANCE BEYOND DECEMBER 31ST OF ANY YEAR IS CONTINGENT UPON THE APPROPRIATION OF SUFFICIENT FUNDS BY PROPER CITY OFFICIALS. .

PRICES QUOTED MUST BE FIRM FOR ONE YEAR AFTER WHICH AN ESCALATOR MAY BE INVOKED UPON REQUEST AND VERIFICATION OF A LETTER FROM THE SUPPLIER AND/OR PUBLISHED PRICE SHEETS. SUCH REQUEST MUST BE MADE TO MICHAEL DRZEWIECKI AT LEAST SIXTY (60) DAYS IN ADVANCE OF THE EFFECTIVE DATE OF THE INCREASE. THE INCREASE MUST BE APPROVED BY THE BUSINESS OPERATIONS DIVISION, PROCUREMENT SERVICES SECTION PRIOR TO ITS EFFECTIVE DATE.

LIKEWISE, ANY DE-ESCALATION IN PRICE SHALL BE PASSED ON TO THE CITY. VENDORS ARE OBLIGATED TO TREAT PRICE DECREASES AS EQUALLY AS PRICE INCREASES DURING THE TENURE OF THE CONTRACT.

PRICE ESCALATION CLAUSES ARE NOT APPLICABLE FOR "DISCOUNT FROM LIST" CONTRACTS AS THE VENDOR'S CURRENT LIST WILL ALREADY REFLECT MARKET CHANGES. THEREFORE, WHILE PERCENT OF DISCOUNT OFFERED BY VENDOR MUST REMAIN FIRM FOR TERM OF CONTRACT, VENDOR MUST PROVIDE UPDATED PRICE LISTS TO THE CITY USER DEPARTMENT(S) WHEN UPDATED.

AWARD WILL BE MADE TO THE LOWEST RESPONSIBLE AND RESPONSIVE BIDDER COMPLYING WITH THE SPECIFICATIONS AND THE SPECIFIED DELIVERY REQUIREMENTS. LOW BIDDER WILL BE DETERMINED FROM THE GRAND TOTAL OF THE DISCOUNTED UNIT PRICES INDICATED ON THE ZOLL DEFIBRILLATOR PARTS LIST MULTIPLIED BY THE QUANTITY.

BIDDER MUST BID ON ALL ITEMS LISTED ON THE ZOLL DEFIBRILLATOR PARTS LIST IN ORDER TO BE CONSIDERED FOR AWARD.

BY SIGNING THIS BID, BIDDER HEREBY AGREES TO ALL THE TERMS AND CONDITIONS OF THE "CITY OF MILWAUKEE INVITATION, INSTRUCTIONS, TERMS AND CONDITIONS FOR FORMAL BID & CONTRACT" DOCUMENT, WHICH IS HEREBY REFERENCED AND INCORPORATED AS PART OF THE CONTRACT AWARDED FROM THIS BID. THIS DOCUMENT CAN BE FOUND BY ACCESSING THE CITY'S WEB SITE AT [HTTP://WWW.MILWAUKEE.GOV](http://www.milwaukee.gov), CLICK THE DEPARTMENTS LINK, CLICK THE PROCUREMENT SERVICES (PURCHASING) LINK UNDER BUSINESS AND DEVELOPMENT CATEGORY, CLICK THE BID INFORMATION LINK FOR THE DOCUMENT, OR YOU MAY OBTAIN A COPY BY CALLING OUR OFFICE AT (414)286-3501.

NOTE: EFFECTIVE DECEMBER 28, 2005, THE CITY OF MILWAUKEE ADOPTED AN ORDINANCE RELATIVE TO THE DISCLOSURE OF PARTICIPATION IN OR PROFITS DERIVED FROM SLAVERY BY CONTRACTORS. ALL CONTRACTORS AWARDED A CONTRACT ON BEHALF OF THE CITY OF MILWAUKEE, WHETHER OR NOT SUBJECT TO A COMPETITIVE BID, SHALL COMPLETE AN AFFIDAVIT PRIOR TO ENTERING INTO THE CONTRACT VERIFYING THAT THE CONTRACTOR HAS SEARCHED ANY AND ALL RECORDS OF THE COMPANY OR ANY PREDECESSOR COMPANY REGARDING RECORDS OF INVESTMENTS OR PROFITS FROM SLAVERY OR SLAVEHOLDER INSURANCE POLICIES DURING THE SLAVERY ERA. THE NAMES OF ANY ENSLAVED PERSONS OR SLAVEHOLDERS DESCRIBED IN THOSE RECORDS MUST BE DISCLOSED IN THE AFFIDAVIT.

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THE CITY SHALL MAKE THE INFORMATION CONTAINED IN THE AFFIDAVIT AVAILABLE TO THE PUBLIC. ANY CONTRACT BETWEEN THE CITY AND A CONTRACTOR WHICH FAILS TO PROVIDE THE REQUISITE AFFIDAVIT OR WHICH INCLUDES MATERIAL FALSE INFORMATION ON SUCH AFFIDAVIT SHALL BE RENDERED NULL AND VOID. TO REFERENCE MILWAUKEE CODE OF ORDINANCES 310-14, PLEASE SEE:							

<http://cctv25.milwaukee.gov/code/volume3/ch310.pdf>

*** ETHICAL PURCHASING REQUIREMENT ***

EFFECTIVE JANUARY 8, 2008, THE SUCCESSFUL BIDDER FOR ALL PROCUREMENTS MUST COMPLY WITH CITY OF MILWAUKEE ORDINANCE 310-17 WHICH CAN BE FOUND AT:

<http://cctv25.milwaukee.gov/code/volume3/ch310.pdf>

AND THE HOURLY NON-POVERTY WAGE TABLE WHICH CAN BE FOUND ON THE PROCUREMENT SERVICES WEB SITE AT:

<http://www.city.milwaukee.gov/display/router.asp?docid=327>

IT IS YOUR RESPONSIBILITY AS A BIDDER TO FAMILIARIZE YOURSELF WITH THIS ORDINANCE PRIOR TO SUBMITTING YOUR BID. BIDDERS ARE ALSO URGED TO MAKE ALL SUBCONTRACTORS AWARE OF THIS ORDINANCE AND ENCOURAGE ANY AND ALL SUBCONTRACTORS TO COMPLY WITH IT AS WELL.

WILL YOU COMPLY WITH THIS REQUIREMENT ? (CHECK BELOW)

_____ YES _____ NO

NOTE: FAILURE TO COMPLY WITH THIS REQUIREMENT MAY RESULT IN BID REJECTION.

*** IMPORTANT NOTE: IF THIS QUOTE RELATES TO THE PURCHASE OF FOOD OR BEVERAGES, THE VENDOR IS URGED TO MAKE FAIR TRADE PRODUCTS AVAILABLE IN ACCORDANCE WITH COMMON COUNCIL RESOLUTION NUMBER 070280 DECLARING THE CITY OF MILWAUKEE A FAIR TRADE CITY EFFECTIVE JULY 18, 2007. ***

THE CITY STRIVES TO MAKE TIMELY PAYMENT ON ALL INVOICES. PAYMENT TO THE VENDOR WILL BE DEEMED TIMELY IF THE PAYMENT IS MAILED, DELIVERED OR TRANSFERRED WITHIN 60 CALENDAR DAYS AFTER RECEIPT OF A PROPERLY COMPLETED INVOICE OR RECEIPT AND ACCEPTANCE OF THE PROPERTY OR SERVICE UNDER THE ORDER OR CONTRACT, WHICHEVER IS LATER. IF THE CITY DOES NOT MAKE PAYMENT BY THE 60TH CALENDAR DAY, THE CITY SHALL PAY SIMPLE INTEREST BEGINNING WITH THE 31ST CALENDAR DAY OF THE RATE OF ONE PERCENT PER MONTH (UNLESS THE CITY DISPUTES THE AMOUNT OF THE INVOICE). REFERENCE COMMON COUNCIL FILE NO. 900859 ADOPTED OCTOBER 16, 1990, PROVISIONS OF STATE STATUTE 66.285 AND 66.286

IF THIS BID HAS SUBCONTRACTOR REQUIREMENTS, THE PRIME CONTRACTOR MUST PAY SUBCONTRACTOR(S) WITHIN TEN WORKING DAYS OF THE RECEIPT OF PAYMENT FROM THE CITY OF MILWAUKEE, OR TEN DAYS FROM RECEIPT OF A PROPERLY SUBMITTED AND APPROVED INVOICE FROM THE SUBCONTRACTOR, WHICHEVER IS LATER. IF THE CONTRACTOR FAILS TO MAKE TIMELY PAYMENT TO A SUBCONTRACTOR, THE CONTRACTOR SHALL PAY SIMPLE INTEREST AT THE RATE OF ONE PERCENT PER MONTH, BEGINNING WITH THE 11TH CALENDAR DAY.

IF YOU WOULD LIKE TO OFFER A PAYMENT DISCOUNT TO THE CITY, PLEASE STATE BELOW:

_____%, _____ DAYS

THE CITY WILL DETERMINE THE LOW BIDDER BY TAKING INTO CONSIDERATION CASH DISCOUNTS OFFERED BY THE BIDDERS ONLY IF THE PAYMENT TERMS ARE 30 DAYS OR MORE. HOWEVER, IF THE LOW BIDDER WHO IS AWARDED THIS CONTRACT HAS QUOTED A MORE FAVORABLE DISCOUNT FOR EARLIER PAYMENT, AND THE CITY PAYS WITHIN THAT EARLIER TIMEFRAME, THE BIDDER WILL BE HELD TO THAT QUOTED DISCOUNT.

A. INVITATION: Sealed bids for furnishing supplies, equipment, work, material, labor, services, or material and labor combined as specified below must be received in the DOA-Business Operations Division, Procurement Services Section, Room 601, City Hall, 200 East Wells Street, Milwaukee, WI 53202,

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NO LATER THAN 2:00 PM ON: MAY 15, 2008							

ALL BIDS RECEIVED AFTER THE SPECIFIED CLOSING DATE AND TIME WILL BE REJECTED.

ALL BIDS WILL BE OPENED AND READ PUBLICLY ON THE SPECIFIED CLOSING DATE AT 2:30 PM IN ROOM 301C OF CITY HALL (THIRD FLOOR), 200 EAST WELLS STREET, MILWAUKEE, WI.

B. FORM AND MANNER OF BID: Please note that bids must be SEALED, addressed to Business Operations Division, Procurement Services Section, Room 601, City Hall, 200 E. Wells St., Milwaukee, WI 53202. Your bid envelope must be plainly marked in the lower left hand corner of the envelope as follows:

Bid Number: 0000002117

Bid Closing Date: MAY 15, 2008 AT 2:00 PM

Commodity/Service: VENDOR CONTRACT FOR ZOLL BRAND DEFIBRILLATOR PARTS

Any bid received in an envelope not properly and clearly marked as specified above may result in the bid being rejected. Bids delivered by other electronic means, such as e-mail, are not allowed and bids so delivered will not be considered.

The fax number for submitting SEALED bids is (414)286-5507. Bidders choosing to use facsimile equipment to transmit bids do so at their own risk. The City cannot and does not guarantee that its facsimile equipment will always be available or properly operating for the receipt of bids. Fax bids must be received IN THEIR ENTIRETY before the 2:00 p.m. bid closing time.

An original of the bid sent by fax machine must be received by the DOA, Business Operations Division, Procurement Services Section, if requested, within four (4) business days. FAILURE TO RESPOND IN FOUR (4) BUSINESS DAYS MAY RESULT IN BID REJECTION.

Bidders wishing to hand deliver their bid should bring their bid response before 2:00 p.m. on the bid closing date to:

Department of Administration Office (DOA)
200 E. Wells Street, Room 606 (6th floor of City Hall)
Milwaukee, WI 53202.

C. BID DESCRIPTION: VENDOR CONTRACT FOR ZOLL DEFIBRILLATOR PARTS

D. PLANS AND/OR SPECIFICATIONS: REFER TO LINE ITEM DESCRIPTIONS

E. SPECIAL CONDITIONS: The following special conditions apply to this Invitation to Bid and the award of the contract following the receipt of bids:

Time is of the essence for all terms of the contract. Delivery is required no later than 7 CALENDAR DAYS AFTER RECEIPT OF AN ORDER.

All goods must be delivered FOB destination to:

CITY OF MILWAUKEE, FIRE DEPARTMENT, CONSTRUCTION AND MAINTENANCE, 118 W. VIRGINIA STREET, MILWAUKEE, WI 53204.

THE EMERGING BUSINESS ENTERPRISE (EBE) PROVISION FOR THIS BID WILL BE 0%. (If applicable, you must download the attachments for terms and conditions and required forms).

NOTE: IF THIS BID DOES NOT SPECIFY A PERCENTAGE OF MANDATORY EBE PARTICIPATION, THE CITY STRONGLY ENCOURAGES THE USE BY THE BIDDER OF CERTIFIED EMERGING BUSINESS ENTERPRISE FIRMS FOR ANY SUPPLEMENTARY SERVICES ATTENDANT TO THE GOODS OR SERVICES PROVIDED HEREUNDER. USE OF EMERGING BUSINESS ENTERPRISE FIRMS WHENEVER POSSIBLE THROUGHOUT THE COURSE OF THIS ENGAGEMENT FOR SUCH SUPPLEMENTARY SERVICES IS STRONGLY ENCOURAGED BY THE CITY, BUT IS NOT A REQUIREMENT FOR SUBMITTING A BID, UNLESS OTHERWISE SPECIFIED. FURTHER INFORMATION ABOUT THE EBE PROGRAM CAN BE OBTAINED FROM THE

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OFFICE OF THE EMERGING BUSINESS ENTERPRISE PROGRAM (EBEP), LOCATED IN ROOM 601, 200 EAST WELLS STREET, MILWAUKEE, WISCONSIN 53202, PHONE (414) 286-5552.							

Any special conditions stated above shall take precedence over any conflicting provisions stated elsewhere in this document or any attached terms and conditions.

F. BID DEPOSIT OR BID BOND REQUIRED (See attached Terms and Conditions for more details): NONE

G. PERFORMANCE BOND REQUIRED (See attached Terms and Conditions for more details): NONE

DOES ANY OFFICER, EMPLOYEE, AGENT, MEMBER OF A GOVERNING BODY, OR PUBLIC OFFICIAL OF THE CITY OF MILWAUKEE WHO EXERCISES ANY FUNCTIONS OR RESPONSIBILITIES IN CONNECTION WITH THE REVIEWING, APPROVING OR ADMINISTERING THE CARRYING OUT OF ANY SERVICES OR REQUIREMENTS TO WHICH THIS BID PERTAINS, HAVE ANY PERSONAL INTEREST, DIRECT OR INDIRECT, IN THIS BID AND ANY CONTRACT THAT MAY RESULT THEREOF?

Yes _____ No _____

Has your business been certified as an Emerging Business for the City of Milwaukee by the Emerging Business Enterprise Program?

Yes _____ No _____

If you are interested in the certification process for your business, please contact the Emerging Business Enterprise Program Office for more information at (414) 286-5552.

Would you be willing to extend the pricing from any contract that may result from this bid to other V.A.L.U.E. members of local government entities in the southeastern Wisconsin area including but not limited to the Milwaukee Metropolitan Sewerage District (MMSD) and/or Milwaukee Public Schools (MPS)?

Yes _____ No _____

Please be advised that the award of this bid by the City of Milwaukee is NOT contingent upon your agreement to the above request. If, however, you agree to extend to any other agencies, each agency will be responsible for issuing and administering its own contract and resulting purchase order.

CONTACT PERSON FOR ORDER PLACEMENT:

NAME: _____ (PLEASE PRINT)

PHONE: _____ FAX: _____

EMAIL ADDRESS: _____

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CITY OF MILWAUKEE
Department of Administration
Business Operations Division
Procurement Services Section

BINDING SIGNATURES FOR BID AND CONTRACT

Upon award and acceptance of this bid by the City of Milwaukee, the undersigned bidder, by its authorized persons signing below, agrees that all provisions set forth herein will become binding as a formal contract upon the fulfillment of all conditions precedent set forth herein.

This agreement constitutes the entire agreement between the parties relating to the subject matter of this agreement. All prior understandings, agreements, correspondence and discussions of the parties are merged into and made a part of this agreement.

CONTRACTOR (To be signed by two persons authorized to legally bind your firm to this contract)

Bidder's Firm _____

Address _____

City/State _____ Zip _____

Telephone _____

Fax number _____

E-mail _____

Federal ID # _____

BY: _____
(manual signature required)

NAME _____
(typed or printed)

TITLE _____

DATE _____

BY: _____
(manual signature required)

NAME _____
(typed or printed)

TITLE _____

DATE _____

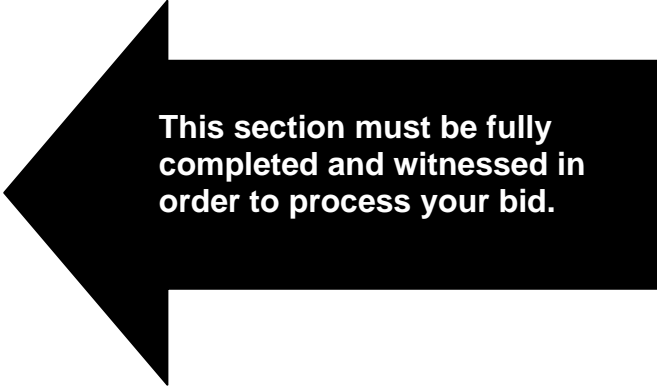
Witnesses: Two Witnesses to Bidder's Authorized Signature

BY: _____
(manual signature required)

NAME _____
(typed or printed)

BY: _____
(manual signature required)

NAME _____
(typed or printed)



FOR OFFICIAL CITY USE ONLY

CITY OF MILWAUKEE, a municipal corporation

BY _____
City of Milwaukee Purchasing Director

DATE _____

Countersigned:

BY _____
City Comptroller

DATE _____