BidSync: Agency Reports Page 1 of 1

# BIG #SOS-1710 - INTENT TO DEEM FIRSTWATCH SOLUTIONS AS SOLE SOURCE PROVIDER OF FIRSTWATCH

Creation Date May 19, 2017

**End Date** 

Jun 2, 2017 2:00:00 PM CDT

Start Date

May 19, 2017 2:12:56 PM CDT

Awarded Date Not Yet Awarded

SOS-1710-01-01 PLEASE ATTACH ALL SUPPORTING DOCUMENTS TO THIS LINE					
Supplier	Unit Price	Qty/Unit	Total Price	Attch.	Docs
			No Bids		
Agency Product Code: Agency Notes:	1. 1	Supplier Notes:	1180	1	

Print

Close

<sup>\*\*</sup>All bids/proposals submitted for the designated project are reflected on this tabulation sheet. However, the listing of the bid/proposal on this tabulation sheet shall not be construed as a comment on the responsiveness of such bid/proposal or as any indication that the agency accepts such bid/proposal as being responsive. The agency will make a determination as to the responsiveness of the vendor responses submitted based upon compliance with all applicable laws, purchasing guidelines and project documents, including but not limited to the project specifications and contract documents. The agency will notify the successful vendor upon award of the contract and, as according to the law, all bid/proposal responses received may be available for inspection at that time.



### Sole Source Statement

### FirstWatch Solutions, Inc.

April 28, 2017

FirstWatch was procured by Williamson County in 2011. Following implementation of FirstWatch, Williamson County foresees the need to purchase additional data connections as well as FirstWatch modules, and to procure services associated with FirstWatch. No vendor other than FirstWatch Solutions, Inc. offers the specific hardware, software, and services.

This resource is essential and necessary for monitoring system and other key performance indicators for WCEC.

After reviewing the documentation, I concur with the assessment that FirstWatch Solutions, Inc. is the only supplier of FirstWatch currently in use at Williamson County. There are no resellers that offer this product, modules, software, or services.

The above statement is true and accurate.

Scott Parker, Director

505 1710



**Williamson County Purchasing Department** 

901 South Austin Ave. Georgetown, Texas 78626 (512) 943-3553 www.wilco.org/purchasing purchase@wilco.org

## **Sole Source Justification Request**

### This request is for a:

**Sole Source Item** (goods or services are available from ONLY this supplier due to a unique capability, patent, copyright, secret process, or capability to meet the requirements of the solicitation)

This Sole Source justification requires additional documentation and requirements as listed below. One of these steps may require placing a public notice in BidSync for 14 days, in order to allow any possible competitors to come forward with equivalent goods or services. This step will be completed by the Purchasing Team that supports your office or county department after all required documents have been submitted. In addition, all sole source justifications must be approved in Commissioners Court.

Required Documentation that must accompany this request before this purchase can be considered (any missing documentation will result in delays). Check all included documents: This request form completed and signed A written quote from the supplier, listing the goods, services and pricing Letter of justification from the supplier (on company letterhead and signed by an authorized representative) establishing why they are the only Sole Source provider of the service or item ⊠Notarized Sole source affidavit completed by the supplier Signed letter of recommendation from the Elected Official or County Department Head Requestor Name and County Office / Department: Terry Purvis/Williamson County Emergency Communications Requestor Title: Asst. Director Requestor Phone Number: 512-864-8252 Requested Sole Source Supplier: Company Name: FirstWatch Solutions, Inc. Contact Name: Marc Baker, VP Address 1930 Palomar Point Way, Ste. 101 City: Carlsbad State: CA Zip Code: 92008 Phone Number: 760-658-9848 Email Address: mbaker@firstwatc.net Website: www.firstwatch.net ○ No Does the manufacturer sell the item(s) through distributors? ♠ No Description of the Product or Service: (if additional space is needed, include a separate page) Describe the full scope of work, including installation if required, items should include brand, model and part number if applicable. Williamson County Emergency Communications (WCEC) has deployed the FirstWatch real-time situational awareness, dash boarding, data analysis software system to analyze CAD, ePCR and ProQA data. WCEC is endeavoring to add a data connection to the 9-1-1 phone system and deploy add-ons FirstPass and On-line Compliance Utility (OCU). FirstPass and OCU will be added as "Software as a Service" with a one-time startup fee followed by monthly subscription fees.

Schedule: Identify the date items are needed to be delivered, or month work is to be performed. Please be specific and do not use "ASAP".
WCEC wishes to begin the installation and configuration in early June.
Estimated Cost: \$37,689 one-time/\$2,689 monthly  SOLE SOURCE RATIONALE
Complete the following checklist:
The requested supplier is the only source of required item(s) or service(s) because:
Check all that apply:
☑ The required item or service is proprietary to the supplier
The recommended supplier holds the patent on the requested Item(s)
The recommended supplier is the only supplier capable of performing the requested service
X A specific item is needed
To be compatible or interchangeable with existing hardware
As a spare or replacement hardware
For the repair or modification of existing hardware
For technical evaluation or testing
☐ Have there been any prior attempts to obtain competitive bids or proposals for the Items or services that failed?
If so, please list and describe such attempts:
There is a substantial risk in selecting another product or service provider.
If so, please describe:
It is not possible to obtain competitive bids for consideration.
If so, why:
The FirstWatch software currently deployed in Williamson County is highly proprietary and is considered to be confidential intellectual property.

Are there any other companies who can provide the services or needed items?
If so, please list and provide explanation of why they were unable to meet the requirements:
List any other sources, suppliers, products or service providers that you reviewed in your selection process:
List all research methods that you reviewed in your selection process (i.e.: specific internet searches, trade publications, references, etc.):
ACKNOWLEDGEMENT
I affirm and acknowledge Williamson County's requirements, justification and criteria for Sole Source purchases. I have gathered the required technical information, provided all required documentation, have made a concerted effort to review comparable / equal equipment or services to the best of my ability, and further affirm that there is no conflict of interest in my recommendation of the selected item(s), service(s) or supplier.
i also acknowledge and understand that I may be subject to criminal prosecution for the willful falsification of information in this document. I, by the act of signing or typing my name below, hereby certify under penalty of perjury, under the laws of the State of Texas, the foregoing is true and correct.
Date: 5/18/2017
Signature: Terry E. Purvis 10873
* By typing your name, this is equivalent to a legal signature

NOTE: After a passage of time, an item or service may no longer qualify as a sole source purchase due to other similar items or services becoming available from other suppliers. Thus, all prior sole source determinations must be reapproved by the Williamson County Purchasing Department following completion of a Sole Source Justification Request Process and satisfactory completion of such process must be noted on requisitions and purchase orders.



April 27, 2017

Terry Purvis, Assistant Director - Technology Williamson County Emergency Communications 911 Tracy Chambers Lane Georgetown, TX 78626

Dear Terry,

The real-time situational awareness, dash boarding, data analysis/visualization, biosurveillance (and automated alerting) software system; known as **FirstWatch** – which is currently deployed and in use by hundreds of EMS, Fire, Law Enforcement, 9-1-1 Communications Centers, Public Health and Homeland Security teams is only available from a single vendor: **FirstWatch Solutions, Inc.** Further, FirstWatch software is highly proprietary and is considered to be a confidential intellectual property trade secret of FirstWatch Solutions, Inc. (and Stout Solutions, LLC).

FirstWatch is a patented intellectual property in Canada (# 2495768), New Zealand (# 538348) and Australia (# 2003298552) and FirstWatch also has patent application pending in the USA. Therefore, no other party is authorized to perform (or provide) the various system support functions and ongoing maintenance responsibilities (i.e. development, code corrections, product updates and 24.7.365 technical support), as there is absolutely no outside access to the proprietary FirstWatch IP source code whatsoever. Thus, FirstWatch is the single source for not only the acquisition, deployment, data source interface(s) and installation of the FirstWatch software / system, but the ongoing support of and maintenance service required for the aforementioned FirstWatch software / system as well. Furthermore, no other party is authorized to provide FirstWatch system enhancements, add-ons or system enhancement modules, additional features, capacity or hardware upgrades for (or to) the core FirstWatch system functionality.

The FirstWatch software system is currently deployed and LIVE in more than 190 metro areas across the United States and Canada. As of the date of this letter; FirstWatch is in use by 350+ Public Safety, Public Health and Homeland Security agencies for situational awareness, operational & performance monitoring, clinical quality measurements, as well as health surveillance, bioterrorism and other early event detection.

In addition to the core real-time FirstWatch system functionality; FirstWatch has also developed proprietary, highly specialized industry leading innovations which are offered as add-on system enhancement modules. These FirstWatch modules are designed to provide very specific, proven functionality, one such example is the FirstPass system enhancement module. The FirstPass module is designed to enhance the core FirstWatch system functionality by automatically reviewing every ePCR (electronic patient care report) created by paramedics (during a prehospital patient encounter) in real-time & identify deviations in the paramedics patient treatment procedures when compared against evidence based medical protocols, procedures and directives. The mission of FirstPass is not just continuous quality improvement, but also to save precious human resource time all while improving the actual ePCR clinical chart review processes through the use of technology. FirstPass ultimately improves the quality of care delivered to patients and mitigate potential risk by quickly identifying medic performance trends on high risk, low frequency emergency medical interventions, like; STEMI, Stroke, ACS/Cardiac, Trauma and Airway Management. FirstPass offers a workflow driven process which provides continuous monitoring of electronic patient records to quickly identify outliers and provide real-time feedback and alerts about potentially concerning protocol deviations, incomplete or missing ePCR data elements (documentation errors or omissions), as well as potentially urgent patient safety issues. No other product is capable of automatically consuming real-time ePCR data (from any ePCR vendor system) into the core FirstWatch system data interface to provide completely automated, real-time clinical QA/QI analysis & review, like FirstPass can. The FirstPass real-time QA/QI ePCR review process combined with the embedded workflow tools helps medical directors and clinical QA/QI teams provide feedback to paramedics immediately after a patient encounter. FirstPass is actively improving paramedic performance and patient outcomes for numerous systems across the US and Canada.



Listed below are some of the exclusively unique benefits and demonstrated system functions which support the designation of FirstWatch as not only a single source product, but as a single source provider related to the FirstWatch real-time data analysis & automated early warning system and its various core and system enhancement components:

Alignment with Homeland Security Needs & Requirements: According to FEMA, there are 2.3 million First Responders and 23 million people in their support, 25.3 million individuals involved in defense and support of the country's Public Safety and Public Health. The majority of the sites at which FirstWatch is currently deployed are located within a governmental (State, County or Local) agency of Law Enforcement, Fire Department, Emergency Medical Service, Office of Emergency Services (Management) or Public Health. As an automated, real-time Early Detection and Warning System (in existence since 1999), FirstWatch's scalable architecture and algorithmic abilities, continue to assist the agencies noted above (as well as their personnel and their support groups, large and small) across the US and Canada, in identifying threats to the welfare of the public and first responders alike.

FirstWatch helps to provide closure to Homeland Security Presidential Directive 8 (HSPD-8) Capability Gaps noted via the Homeland Security Authorized Equipment List- (AEL) #13 (IT) Terrorism Incident Prevention Equipment, Specifically associated with the following items:

- o AEL # 13IT-00-ALRT: System, Alert/Notification;
- AEL # 13IT-00-DACQ: Data Acquisition;
- AEL # 13IT-00-DEXC: Data Exchange and Interoperability;
- o AEL # 13IT-00-DFSN: Data Fusion/Synthesis; and
- AEL # 13IT-00-INTL: Systems, Intelligence Sharing.

FirstWatch is particularly well suited as a single or multi-faceted capability to the needs of Homeland Security related to the AEL items listed above and, in conjunction with that association, to the Target Capabilities List (TCL) of such items as...

- Information Gathering and Recognition of Indicators and Warnings
- Intelligence and Information Sharing and Dissemination
- Intelligence Analysis and Production
- Epidemiological Surveillance and Investigation
- Disaster Planning and Preparedness
- Medical Surge and System Busy
- Proven Ability to Integrate and Aggregate: Only FirstWatch is designed to monitor disparate (or similar) data sources and data types, for Public Safety and Public Health from: 9-1-1 Phone and Computer Aided Dispatch (Police, Fire and EMS CAD) systems, to Electronic Patient Care Records (ePCR) systems, to Records Management (RMS) systems, to ProQA (algorithmic expert / telephonic triage) systems for EMS, Fire & Police, as well as Hospital Emergency Data (ED) systems, Nurse Call Triage data systems and Poison Control Center data among others. Whether the emergency situation is related to natural disaster, bioterrorism, or Ebola, Heroin/Opioid OD, SARS, MERS, or even H1N1/ILI Flu FirstWatch is designed to offer aggregated, real time data analysis, data visualizations and automated alerts to authorized stakeholders at the local, state or federal level.
- Scalable System Design: Only FirstWatch allows the addition of other data sources / data systems into "existing" deployed ("live") FirstWatch systems. Real Time data from other FirstWatch customers may also be easily aggregated together (if authorization is provided and Triggers are available), to create a larger regional or statewide FirstWatch Network; for example during the Ebola Outbreak of 2014, when FirstWatch provided Ebola Triggers to our existing customers in 80 metro areas (at no charge) to help protect First Responders and Citizens alike.



- Exclusive Embedded Interface to FirstWatch within ProQA Software: Only FirstWatch has partnered with Priority Dispatch Corporation (PDC) & International Academies of Emergency Dispatch (IAED) to create an "embedded FirstWatch interface" which is designed to enable real-time analysis of ProQA data for Emerging Infectious Disease, CBRNE, as well as for ProQA EMS, Fire and Law Enforcement Dispatch Driven Protocols and algorithms. The "embedded FirstWatch interface" can be located within Paramount in the "Admin Utility" or within legacy ProQA within the "Configuration Utility" (ProQA versions 3.4.1.41 (or newer)). FirstWatch is the ONLY real-time data monitoring & analysis (software) program in the world to seamlessly interface with ProQA (or their newest version; Paramount) to provide FirstWatch analytics & automated alerting functionality to mutual ProQA/Paramount/FirstWatch customers.
- Experience with 9-1-1 / Public Safety (CAD, ProQA, Phone, ePCR, RMS) Data: FirstWatch team members have more than 300 years of Public Safety experience collectively. Additionally FirstWatch has more than 250 years of combined Public Safety software development experience. Since 1999 FirstWatch has been actively analyzing and aggregating 9-1-1 / Public Safety.
- Automated, Real-Time Analysis & Alerting: Only FirstWatch offers automatic analysis in realtime, from disparate Public Safety software platforms – to date more than (90) different vendor and home-grown systems have been interfaced with FirstWatch. The flexibility of the system offers user defined data analysis analysis criteria, as well as offering new and innovative algorithms and algorithmic methodologies for real time data analysis and automated alerting.
- Existing LIVE Systems: Only FirstWatch has LIVE systems deployed in 190 metro areas (representing 37 States and Provinces) across the US and Canada. From small cities and counties, with populations of less than 50,000, to major metropolitan areas with populations well over 3 million. FirstWatch has already been deployed in more than 28 of the top 50 metro areas (by population) across the USA.
- Complete User Configurability: FirstWatch allows authorized users to be in control of what they
  monitor, what they see from mobile devices (iPhone, iPad and Android phone/tablets) including
  alert thresholds and criteria, as well as who will be notified, and in what format the notification will
  be sent. In addition a number of other flexible variables all definable by authorized users.
- Capacity & System Performance: Only FirstWatch maintains .99999 (5 nines) uptime while analyzing and aggregating more than 85,000 real time public safety records daily on average one new record is analyzed every 1 second (that's over 28,000,000 annually) and the FirstWatch annual record volume grows, as new deployment sites go live. To date, FirstWatch has processed more than 150 Million public safety records (in real time) benefiting Public Safety, Public Health and Homeland Security teams across the US & Canada.

We hope the information provided above will help your team establish FirstWatch as the single source provider of not only the FirstWatch system itself, but also system enhancements, modules, maintenance and support for the FirstWatch system as well. If you have any other questions please let us know and we'd be happy to provide whatever additional information you may require. Thank you.

Best Regards,

Marc

Marc Baker, Vice President & Partner FirstWatch Solutions, Inc. 760.943-9123 ext. 208 mbaker@firstwatch.net



Williamson County Purchasing Department 901 South Austin Avenue Georgetown, Texas 78626 (512) 943-3553 www.wilco.org/purchasing purchase@wilco.org

### NOTARIZED SOLE-SOURCE PURCHASE AFFIDAVIT

Before me, the undersigned authority duly authorized to take acknowledgments and administer oaths, on this day personally appeared MARC BARCE, who after being duly sworn on oath stated

STATE OF TEXAS
COUNTY OF WILLIAMSON

### KNOW ALL MEN BY THESE PRESENTS THAT:

the following:
My name is MARC BAKER. My title is JP/SEC OF BOARD  I am aware that the Williamson County Purchasing Department is required to comply with competitive bidding requirements of Chapter 262 of the Texas Local Government Code. I am aware that the statutory competitive bidding provisions do not apply to the purchase of an item that can be obtained from only one source. See, Texas Local Government Code section 262.003.  Sole-source items include:  Items for which competition is precluded because of the existence of patents, copyrights, secret processes, or monopolies, films, manuscripts, or books, electric power, gas, water, and other utility services, and captive replacement parts or components for equipment.
I have represented to the Purchasing Department of Williamson County and I hereby warrant that as of the date below, I am the sole-source supplier of the following item: FIRSTWATCH & SYSTEM MODULES. I am the sole-source supplier of this item because: PATENTED I.P. OF FIRSTWATCH SOUTHWIST INC. N 26PO OUTSIDE ACCESS TO OUT-COPE FW SYSTEM OFFICED. I agree that if I ever cease being the sole-source supplier of this item, I shall immediately make a full disclosure in writing to the Williamson County Purchasing Department of all relevant facts and circumstances.
IN WITNESS WHEREOF, the undersigned has executed this Affidavit on the 28 <sup>Th</sup> day of APRIL .2017.    MARC BAKER VP/SEC. FIRSTWATCH SOUTHWS, W.C.
SWORN TO AND SUBSCRIBED before me on

# **CALIFORNIA JURAT WITH AFFIANT STATEMENT**GOVERNMENT CODE § 8202

✓ See Attached Document (Notary to cross out ling See Statement Below (Lines 1–6 to be complete	
Signature of Document Signer No. 1	Signature of Document Signer No. 2 (if any)
State of California	Subscribed and sworn to (or affirmed) before me
County of SANDIEGO	on this <u>28</u> day of <u>APRIL</u> , 2017, by Date Month Year
	(1) MARC BAKER
MERCEDES MANCUSO Commission # 2026067 Notary Public - California San Diego County My Comm. Expires Jun 21, 2017	Name(s) of Signer(s)  proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.
Place Notary Seal Above	Signature of Notary Public
OP	TIONAL ————
	aw, it may prove valuable to persons relying on the nd reattachment of this form to another document.
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FirstWatch Solutions, Inc. 322 Encinitas Blvd., Suite 100 Encinitas, California 92024 USA

Phone: 760-943-9123 Fax: 760-942-8329 Atten: Phil Davis, Regional Manager (Ph Ext 267)

## System Enhancement Quote

#### **Customer Information:**

Name: Terry Purvis, Assistant Director - Technology

Organization: Williamson County, Texas
Address: 911 Tracy Chambers Lane
City, ST Zip: Georgetown, TX 78626
Phone: (512) 864-8252

Email: tpurvis@wllco.org

### Quote Information:

Date: 4/21/2017 Expiration Date: 10/18/2017

Qty	Description	Unit Price	Item Total
	Data Source 5 (DS5) - Phone System Data via E-CATS		
1	(DS5) System License	\$15,000	\$10,000
1	(DS5) Annual Support & Maintenance	\$3,300	\$2,200
1	(DS5) Data Source Integration	\$7,500	\$7,500
	Sub-total		\$19,700
		Total of Items Above	\$19,700

### FirstWatch offers the following payment plan for your consideration

'Software as a Service' Payments

System Enhancement 'Software as a Service' Start-up Services & 1st Month Subscription Fee - Total:	\$7,899
Monthly Subscription Fee:	\$399

Special Partner Pricing Project Notes: this quote offers Williamson County TX the following FirstWatch System enhancements; a 5th FW data source interface (quoted above as DS5) for the existing & LIVE FirstWatch system at Williamson County Emergency Communications Center. DS5 will interface with the Williamson County Phone System data via E-CATS for real-time data analysis and reporting. Plus; this Special Partner Pricing proposal provides a \$6,100 discount off DS5

### Thank you for the opportunity to present this quote.

To authorize FirstWatch to proceed with proposed enhancements, please fax signed copy (all pages) back to: FirstWatch @ (760) 942-8329 or email executed PDF to: pdavis@firstwatch.net

Accepted:			
Title:			
Date:			

Expiration Date:

Encinitas, California 92024 USA

Phone: 760-943-9123 Fax: 760-942-8329
Atten: Phil Davis, Regional Manager (Ph Ext 267)

#### **Customer Information:**

Quote Information:

10/18/2017

Date: 4/21/2017

Name: Terry Purvis, Assistant Director - Technology Organization: Williamson County, Texas

Address: 911 Tracy Chambers Lane
City, ST Zip: Georgetown, TX 78626

Phone: (512) 864-8252
Email: tpurvis@wilco.org

Qty	Description	Unit Price	item Total
	Data Source 4 (DS4) - Training System; Special Partner Pricing provides \$13,70	0 discount off DS4	
1	(DS4) System License	\$15,000	\$5,000
10	Report Development Hours (10 @ \$150 per hour)	\$1,500	\$750
1	(DS4) Annual Support & Maintenance	\$3,300	\$1,100
1	(DS4) Data Source Integration	\$7,500	\$7,500
		Sub-total	\$13,600
	Performance Plus Module (PP)		
1	Performance Plus Module	\$2,500	\$2,500
1	Performance Plus Annual Support & Maintenance	\$550	\$550
		Sub-total	\$3,050
	Online Compliance Utility Module (OCU)	The state of the s	
1	Online Compliance Utility Module	\$30,000	\$30,000
1	Online Compliance Utility Annual Support & Maintenance	\$6,600	\$6,600
0	Additional OCU Add-on Authority / Contractor	\$4,500	\$0
0	Additional OCU Add-on Authority / Contractor Annual Support & Maintenance	\$990	\$0
0	Additional monitored OCU Data Source (Does not incl Standard Data Source Fees)	\$7,500	\$0
0	Additional monitored OCU Data Source Annual Support & Maintenance	\$1,650	\$0
0	Additional OCU Report Development (hours - beyond the basic bundle offering)	\$150	\$0
0	Additional OCU Reports Annual Support & Maintenance	\$0	\$0
		Sub-total	\$36,600
	FirstPASS Module (FP)		
1	FirstPASS Module w/Protocol & Reporting Bundle (Requires ePCR data source)	\$30,000	\$30,000
1	FirstPASS Annual Support & Maintenance	\$6,600	\$6,600
0	Additional FirstPass Add-on Agency	\$5,000	\$0
0	Additional FirstPass Add-on Agency Annual Support & Maintenance	\$1,100	\$0
0	Additional Custom Protocols (beyond the basic bundle)	\$1,500	\$0
0	Additional Custom Protocols Annual Support & Maintenance	\$330	\$0
0	offering)	\$150	\$0
0	Additional FirstPASS Reports Annual Support & Maintenance	\$33	\$0
		Sub-total	\$36,600
		Total of Items Above	\$89,850

### FirstWatch offers the following payment plan for your consideration

'Software as a Service' Payments

System Enhancement 'Software as a Service' Start-up Services & 1	st Month Subscription Fee - Total:	\$29,790
	Monthly Subscription Fee:	\$2,290

Special Partner Pricing Project Notes: this quote offers Williamson County TX the following FirstWatch System enhancements; FirstPass, OCU & a 4th FW data source interface (quoted above as DS4) for the existing & LIVE FirstWatch system at Williamson County Emergency Communications Center, DS4 will interface with the Williamson County 'Training System' for real-time data analysis and reporting based upon conversation with Terry & Matt and FW Team; Todd, John, Marc & Jim using 'special partner pricing' for DS4. Both FirstWatch & Williamson County agree that (based upon successful outcome of the training system project) WilCo & FW will work to create articles, case studies, abstract submissions for sessions/presentations at both National & Regional APCO, NENA and Navigator Conferences in order to help other Public Safety teams learn about the benefits of analyzing training data via FW, as well as other (TBD) benefits we'll both learn about during this project. This special partner pricing quote provided by Marc Baker during Terry's On-Site Meeting at FirstWatch Offices in CA. FirstPass will be configured utilizing an existing ESO ePCR Data Source. OCU will utilize the existing data connection into SunGard CAD. Plus; this Special Partner Pricing proposal provides a \$13,700 discount off DS4

### Thank you for the opportunity to present this quote.