



# Monterey County

168 West Alisal Street,  
1st Floor  
Salinas, CA 93901  
831.755.5066

## Board Report

Legistar File Number: A 16-031

February 23, 2016

**Introduced:** 2/3/2016

**Version:** 1

**Current Status:** Agenda Ready

**Matter Type:** BoS Agreement

- a. Approve and authorize the Director of Information Technology to execute an Agreement with Forcepoint, on behalf of the County of Monterey, for the provision of software subscription and maintenance/support for web security software, in the amount of \$64,845.00 for the period of February 29, 2016 through February 28, 2017;
- b. Accept non-standard County liability, payment, and indemnification provisions as recommended by the Director of Information Technology; and
- c. Authorize the Director of Information Technology to execute up to two (2) extensions, of one year each, to this Agreement providing any increases in annual costs are limited, cumulatively, to ten percent (10%) of the original contract price (\$6,484.50 maximum additional cost over 2 years) .

### RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Approve and authorize the Director of Information Technology to execute an Agreement with Forcepoint, on behalf of the County of Monterey, for the provision of software subscription and maintenance/support for web security software, in the amount of \$64,845.00 for the period of February 29, 2016 through February 28, 2017;
- b. Accept non-standard County liability, payment, and indemnification provisions as recommended by the Director of Information Technology; and
- c. Authorize the Director of Information Technology to execute up to two (2) extensions, of one year each, to this Agreement providing any increases in annual costs are limited, cumulatively, to ten (10%) of the original contract price (\$6,484.50 maximum additional cost over 2 years).

### SUMMARY:

It is requested that the Board approve and authorize the Director of the Information Technology Department to execute an Agreement on behalf of the County of Monterey with Forcepoint, with non-standard indemnification/liability and payment provisions, for web security software. In use by the County since 2004, this software ensures appropriate use of the County's internet resources and secures the integrity of County information technology network.

### DISCUSSION:

Websense Enterprise Edition software is a product of the former Websense Inc., and has been used by the Information Technology Department (ITD) since 2004 for the management and filtering of internet content accessed by the users within the County of Monterey. On January 14, 2016, Websense Inc. announced the combination of Websense Inc. with Raytheon Cyber Products and Stonesoft into a new entity called Forcepoint. The web security product formerly offered by Websense, Inc., and now offered by Forcepoint, is acquired through Network

Computing Architects, Inc., which is a third-party vendor approved by Forcepoint to sell its licensing subscriptions and maintenance/support. This application is a tool utilized by ITD at the request of County departments to ensure appropriate use of the internet using County computers.

Under the terms and conditions of this proposed Agreement, Forcepoint provides the subscription and maintenance/support of the web security software; payments are processed by Network Computing Architects. The internet blocking and filtering functions of this product have proven consistently reliable, valuable in ensuring appropriate use of County resources, and the County has used it since 2004 without incident. Forcepoint is recommending indemnification and liability language which is not standard to the County but is standard in the software industry and poses minimal liability as determined by the Director of Information Technology. Based upon the County's past experience with this software, the approval of the Board to execute the Forcepoint agreement is recommended.

OTHER AGENCY INVOLVEMENT:

County Counsel and Risk Management do not approve the recommended changes to the County standard indemnification and insurance provisions, limits on liability, changes to process and substance requirements to provide insurance certificates, and refund provisions.

Attachments are on file with the Clerk of the Board.

FINANCING:

The funds for payment of this Agreement have been included in the FY 2015-16 Adopted Budget for the Information Technology Department, ITD 1930, Unit 8435, Appropriations Unit INF002.

Prepared by: Elizabeth Crooke, Management Analyst, 755-5108

Approved by: Dianah Neff, Director of Information Technology, 759-6923

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Dianah Neff

Date

Attachments:

Attachment 1. Forcepoint Agreement

Attachment 2. Forcepoint Exhibit ABC