



Monterey County

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

Board Report

Legistar File Number: A 20-094

May 05, 2020

Introduced: 4/16/2020

Current Status: Agenda Ready

Version: 1

Matter Type: BoS Agreement

- a. Authorize the Director of the Information Technology Department to execute a non-standard agreement with NTT, formerly Dimension Data, a Gigamon Inc. re-seller, incorporating the terms of its FOCUS agreement with Merced County to purchase Gigamon hardware and software maintenance and support to insure County network security, for a one-year term of June 17, 2020 through June 17, 2021, in an amount not to exceed \$20,161.66;
- b. Authorize the Director of the Information Technology Department to execute order forms and such documents as are necessary to implement the agreement with NTT for purchase of Gigamon products;
- c. Accept non-standard contract provisions as recommended by the Director of Information Technology; and
- d. Authorize the Director of Information Technology to sign up to two (2) amendments to this Agreement, extending the term by one (1) year each, where the additional costs per year do not exceed an annual cost increase of ten percent (10%), and where the amendments do not significantly change the scope of work and do not alter the non-standard terms of the Agreement.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Authorize the Director of the Information Technology Department to execute a non-standard agreement with NTT, formerly Dimension Data, a Gigamon Inc. re-seller, incorporating the terms of its FOCUS agreement with Merced County to purchase Gigamon hardware and software maintenance and support to insure County network security, for a one-year term of June 17, 2020 through June 17, 2021, in an amount not to exceed \$20,161.66;
- b. Authorize the Director of the Information Technology Department to execute order forms and such documents as are necessary to implement the agreement with NTT for purchase of Gigamon products;
- c. Accept non-standard contract provisions as recommended by the Director of Information Technology; and
- d. Authorize the Director of Information Technology to sign up to two (2) amendments to this Agreement, extending the term by one (1) year each, where the additional costs per year do not exceed an annual cost increase of ten percent (10%), and where the amendments do not significantly change the scope of work and do not alter the non-standard terms of the Agreement.

SUMMARY/DISCUSSION:

Gigamon-Main DC + AFI software and support provides network traffic aggregation so that Information Security intrusion sensors and other threat hunting tools can see the network traffic that is necessary for their operation and Information Security's threat hunting and security incident response activities. Support includes access to the latest Gigamon software releases and technical support by phone, email and the Gigamon website.

Fast Open Contracts Utilization Services (FOCUS) is California's nationwide, local government-to-government purchasing program. It allows cities, counties, schools, special districts, and other public entities to acquire competitively selected technology products and services quickly and at competitive rates. The FOCUS enables the purchase of a variety of types of technology services such as application systems, infrastructure, enterprise mobility solutions, network & enterprise security solutions, and web monitoring and filtering solutions. It enables local government entities to obtain essential technology, including network security products, on the best terms, and at the best pricing possible.

Successful vendors, including Dimension Data, have entered into a FOCUS agreement for special services with the County of Merced, which sets terms and conditions for delivery of services.

Utilizing the FOCUS Agreement provides the means for governments to reduce the costs of procurement while leveraging funds with other governments to achieve greater buying power. Cooperative agreements such as the FOCUS maintain public confidence through ethical and transparent competitive procurement practices, consistent with County procurement policy.

The FOCUS agreement between Dimension Data and the County of Merced contains terms that are non-standard to the County but are common in the information technology industry. The Director of the Information Technology Department recommends that the Board approve the use of the FOCUS agreement as the tool for purchasing the Gigamon security tools, to safeguard the County network and information systems.

OTHER AGENCY INVOLVEMENT:

County Counsel has reviewed the Merced County's FOCUS agreement for special services and cannot approve the following non-standard terms: requirement that the County defend and indemnify Merced County as a condition of using the FOCUS agreement for procurement; non-standard termination provisions; non-standard insurance provisions with no requirement that the County be named as an additional insured; and non-standard venue of disputes in Merced County.

FINANCING:

Funds for Gigamon services in the amount of \$20,161.66 have been included in the FY2020-21 Recommended Budget for the Information Technology Department, ITD 1930, Budget Unit 8437, Appropriations Unit INF002.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

Gigamon hardware and software provides network traffic aggregation so that Information Security intrusion sensors and other threat hunting tools can see the network traffic that is necessary for their operation and Information Security's threat hunting and security incident response activities. This activity provides cyber security services for all County departments and therefore affects all Board strategic initiatives.


- X Economic Development
- X Administration
- X Health & Human Services

X Infrastructure

X Public Safety

Prepared by: Lynnette Beardsall, Management Analyst II, 759-6938

Approved by:

 Date: 4/22/20

Eric A. Chatham, Director of Information Technology, 759-6920

Attachments:

Merced County FOCUS Agreement

Merced County FOCUS Amendment No. 1

Merced County FOCUS Amendment No. 2

Merced County NTT FOCUS Letter

NTT Gigamon Order Form

Attachments on file with Clerk of the Board