



# Monterey County

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## Board Report

Legistar File Number: A 17-430

November 14, 2017

**Introduced:** 10/30/2017

**Current Status:** Agenda Ready

**Version:** 1

**Matter Type:** BoS Agreement

- a. Approve and authorize the Contracts/Purchasing Officer, on behalf of the Department of Information Technology (ITD), to execute a non-standard agreement with Sable Computers Inc., dba KIS (Keep IT Simple), an authorized partner of McAfee, for the provision of the McAfee product enhanced support and licensing for all County users in the amount of \$60,243.80 for the term of January 23, 2018 through January 22, 2019; \$60,243.80 for the term of January 23, 2019 through January 22, 2020; and \$60,243.80 for the term of January 23, 2020 through January 22, 2021, in an amount not to exceed \$180,731.40 in the aggregate;
- b. Accept the non-standard language in the Agreement provided by McAfee as recommended by the Director of ITD; and
- c. Authorize the Contracts/Purchasing Officer to issue purchase orders on an as needed basis, as recommended by the Director of ITD, for the next three (3) years not to exceed \$60,243.80 annually, and \$180,731.40 in the aggregate.

### RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Approve and authorize the Contracts/Purchasing Officer, on behalf of the Department of Information Technology (ITD), to execute a non-standard agreement with Sable Computers Inc., dba KIS (Keep IT Simple), an authorized partner of McAfee, for the provision of the McAfee product enhanced support and licensing for all County users in the amount of \$60,243.80 for the term of January 23, 2018 through January 22, 2019; \$60,243.80 for the term of January 23, 2019 through January 22, 2020; and \$60,243.80 for the term of January 23, 2020 through January 22, 2021, in an amount not to exceed \$180,731.40 in the aggregate;
- b. Accept the non-standard language in the Agreement provided by McAfee as recommended by the Director of ITD; and
- c. Authorize the Contracts/Purchasing Officer to issue purchase orders on an as needed basis, as recommended by the Director of ITD, for the next three (3) years not to exceed \$60,243.80 annually, and \$180,731.40 in the aggregate.

### SUMMARY/DISCUSSION:

It is requested that the Contracts/Purchasing Officer receive approval from the Board of Supervisors to sign a non-standard Agreement with Sable Computers Inc., dba KIS (Keep IT Simple) for the provision of McAfee product enhanced support and licensing, and to issue purchase orders on an as-needed basis as recommended by the Director of Information Technology (ITD).

McAfee is a vendor that has provided anti-virus, anti-spyware, and encryption software which is essential to the County users and is one component of the County's security architecture. This support has been provided through a McAfee authorized partner, KIS. The continuance of this critical licensing support and maintenance enables the ITD Team to continue their ongoing efforts to protect the data assets of the County, while supporting the secure and efficient transaction of business and delivery of services by departments within the County.

The proposed agreement is non-standard for the County, but is based upon a standard agreement that McAfee uses throughout the State and nation, including with other governmental bodies. Based upon the County's experience with this well-established company, the Director of ITD recommends approval of this agreement.

OTHER AGENCY INVOLVEMENT:

County Counsel has reviewed the McAfee Technical Support and Maintenance Terms and Conditions provided by McAfee, which is part of the KIS agreement recommended to the Board. County Counsel cannot approve due to the following non-standard provisions: non-standard termination provisions permitting McAfee to terminate product support unilaterally; warranty limitations restricting the County's remedy to be re-performance of McAfee support services; warranty limitations requiring the County to provide McAfee with written notice of breach within 30 days; McAfee's disclaimer that its products are free from errors or that they will protect from possible threats; and disputes governed by New York law rather than California law.

The Contracts/Purchasing Officer has approved this agreement as a sole source agreement because the McAfee security tools are an integral part of the County's information technology security architecture.

FINANCING:

The Information Technology Department's FY 2017-18 adopted budget includes appropriations for this Agreement (Budget Unit 8437, Appropriate Unit INF002). Appropriations in future fiscal years for this Agreement will be included in each respective ITD recommended budget.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

Information security enables County business by keeping business flowing. Threats and vulnerabilities to information assets are constant, and properly addressing these threats is paramount. McAfee is one tool that helps decrease the risks to County information assets and its technology infrastructure.

Board of Supervisors Strategic Initiatives:

- Economic Development
- Administration
- Health & Human Services
- Infrastructure
- Public Safety

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

Approved by:

\_\_\_\_\_ Date: \_\_\_\_\_  
Eric A. Chatham, Director of Information Technology, 759-6920

Attachments: Sable Computers, Inc. Agreement