

MONTEREY COUNTY BOARD OF SUPERVISORS

MEETING:	May 17, 2011 - Consent	AGENDA NO:	28
SUBJECT:	a. Approve and authorize on behalf of the Information Technology Department, the Monterey County Contracts/Purchasing Officer to sign the Qualys, Inc. Guard Tool Software Application End User Agreement, for security vulnerability identification and remediation, in an amount not to exceed \$97,574 for the period of July 1, 2011 through June 30, 2012; and b. Accept Non-Standard County Liability and Indemnification Provisions as recommended by the Director of Information Technology.		
DEPARTMENT:	Information Technology Department		

RECOMMENDATIONS:

It is recommended that the Board of Supervisors:

- a. Approve and authorize, on behalf of the Information Technology Department, the Monterey County Contracts/Purchasing Officer to sign the Qualys, Inc. Guard Tool Software Application End User Agreement, used for security vulnerability identification and remediation, in an amount not to exceed \$97,574 for the period of July 1, 2011 through June 30, 2012; and
- b. Accept Non-Standard County Liability and Indemnification Provisions as recommended by the Director of Information Technology.

SUMMARY:

This agreement will compensate Qualys, Inc. for an information security vulnerability identification and remediation system to perform regular and thorough vulnerability management activities and audits throughout the County, spot new vulnerabilities immediately, and proactively remediate them to protect County information assets against vulnerability exploitation. In the first two months of 2011 alone, there were more than 106,000 instances of vulnerabilities identified within the County, and over 130,000 attack attempts against the County to exploit known vulnerabilities. The County used this system for the past five years, and it has been the primary cause of a significant drop in the number of vulnerabilities present on County workstations, servers and network devices, due to its highly accurate vulnerability assessments and remediation information provided to administrators.

It is also requested that your Board approve non-standard liability and indemnification provisions of the agreement.

DISCUSSION:

Since September of 2005, the County Information Technology Department (ITD) has utilized the QualysGuard scanning tool and service, first under an initial trial agreement, and for the past 4 years, as a paying customer of Qualys (see attached documentation for previous service agreements). This tool has provided the on-demand ability for ITD to scan County Information Technology (IT) assets for information security vulnerabilities, and compare them against an industry-leading knowledge base of vulnerabilities with a 99.999% accuracy rate. In computer security, the word *vulnerability* refers to a weakness in a system which can allow an attacker to violate the confidentiality, integrity, availability, or audit mechanism of a system or the data and applications it hosts. Vulnerabilities often result from 'bugs' or design flaws in a system. The Qualys tool automatically provides the County with the results of such scans, including detailed reports with verified remediation actions to be undertaken by County staff supporting administrative, legal, health, finance, and social service systems.

Security of County scans and the resulting information is ensured by end-to-end encryption of vulnerability data and SAS/70 audited security architecture to provide maximum data protection.

The County was originally presented with an "as-is" agreement for this tool. During the trial period, the County was able to negotiate more favorable terms with the vendor and has achieved improvements to the vendor's standard agreement in several areas. These terms have persisted through the last four years of agreements we have signed and continue to maintain with the vendor. This agreement is for a renewal of our existing service with the vendor.

The vendor is unwilling to accept an indemnification clause with no limits, and the ITD has agreed to an indemnification limit of three times the fees paid during the previous 12 months. The IT Director believes that the continued reductions in security risks to the County outweigh the risks associated with this agreement.

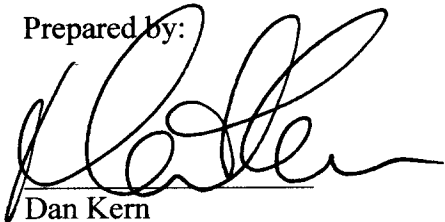
OTHER AGENCY INVOLVEMENT:

The County Counsel and Auditor-Controller have reviewed the Agreement and concur. The Agreement is on file with the Clerk of the Board.

FINANCING:

There is no impact to the General Fund. Funds for the Agreement have been included in the FY 2011-12 Recommended Budget (ITD 1930, Unit 8137, and Appropriations Unit INF002).

Prepared by:



Dan Kern
Chief Security and Privacy Officer
796-1449

10 MAY 2011
Date

Approved by:



Richard C. Lange
Acting Director of Information Technology
796-1404

5-10-2011
Date

Attachment:
Agreement

cc: Charles J. McKee, County Counsel
Michael Miller, Auditor-Controller