



# Monterey County

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## Board Report

Legistar File Number: A 18-081

April 03, 2018

**Introduced:** 3/14/2018

**Version:** 1

**Current Status:** Agenda Ready

**Matter Type:** BoS Agreement

- a. Authorize the Director of the Information Technology Department to execute an Agreement with CDW-Government LLC (CDW-G), incorporating the terms of CDW-G's existing State of California Software Licensing Program (SLP) Agreement No. SLP-17-70-0025N, to purchase 50GB of enterprise support for the County's existing Splunk, Inc. data security licenses, for the period of April 8, 2018 through June 30, 2019, for a total contract amount of \$27,573.57;
- b. Authorize the Director of the Information Technology Department to execute order forms implementing this agreement with CDW-G for purchase of Splunk Inc. data security services, as needed;
- c. Accept non-standard contract provisions as recommended by the Director of Information Technology; and
- d. Authorize the Director of Information Technology to sign, subject to prior County Counsel review, four (4) additional future CDW-G order forms using the SLP Agreement, extending the term for one (1) additional year per order form, provided they do not change non-standard terms approved by the Board and provided any increase does not exceed the original cost (\$27,573.57) plus ten percent (\$2,757.36) for a maximum of \$30,330.93 per additional future order form.

### RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Authorize the Director of the Information Technology Department to execute an Agreement with CDW-Government LLC (CDW-G), incorporating the terms of CDW-G's existing State of California Software Licensing Program (SLP) Agreement No. SLP-17-70-0025N, to purchase 50GB of enterprise support for the County's existing Splunk, Inc. data security licenses, for the period of April 8, 2018 through June 30, 2019, for a total contract amount of \$27,573.57;
- b. Authorize the Director of the Information Technology Department to execute order forms implementing this agreement with CDW-G for purchase of Splunk Inc. data security services, as needed;
- c. Accept non-standard contract provisions as recommended by the Director of Information Technology; and
- d. Authorize the Director of Information Technology to sign, subject to prior County Counsel review, four (4) additional future CDW-G order forms using the SLP Agreement, extending the term for one (1) additional year per order form, provided they do not change non-standard terms approved by the Board and provided any increase does not exceed the original cost (\$27,573.57) plus ten percent (\$2,757.36) for a maximum of \$30,330.93 per additional future order form.

### SUMMARY/DISCUSSION:

The Board of Supervisors previously approved the Information Technology Department (ITD) to purchase enterprise licenses from Splunk, Inc. for data security analysis, software maintenance and

support services used for County computer security. ITD now needs to renew support services on existing Splunk 50GB licenses.

Due to a change in Splunk Inc.'s business model, it no longer enters into agreements directly with customers. Splunk now utilizes re-sellers such as CDW Government LLC (CDW-G) to sell its software, services, and support. CDW-G has entered into a master price agreement for the sale of Splunk data security software, services, and support with the State of California; CDW-G was competitively selected for this master price agreement under the auspices of the State of California's Software Licensing Program (SLP). Here, use of the CDW-G SLP agreement as the operative contract between the County and CDW-G enables the County to procure the Splunk Inc. support services at a savings.

The SLP agreement contains terms that are non-standard to Monterey County contracting practices but which are standard in the technology industry. In addition to advantageous pricing, the SLP agreement contains terms that in many instances are more protective of County interests than is usually the case in information technology agreements. Accordingly, the Director of the Information Technology Department recommends that the Board approve use of the non-standard terms of the CDW-G SLP agreement as the operative County contract for purchase of Splunk Inc. data security services and support.

OTHER AGENCY INVOLVEMENT:

County Counsel has reviewed the terms of the SLP agreement and cannot approve the following non-standard terms: non-standard indemnification and insurance provisions; limitations on warranty obligations; limitations on the amount and type of damages available to the County; non-standard payment provisions; non-standard litigation venue; non-standard termination provisions; and non-standard binding dispute procedures. Risk does not approve non-standard indemnification and insurance provisions.

FINANCING:

The funds for this service in the amount of \$27,573.57 have been included in the FY2017-18 adopted budget for the Information Technology Department, budget unit 8437, appropriations unit INF002. Transactions relating to future fiscal years will be included in each respective recommended budget based upon the anticipated utilization of the services

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

This supports each of the Board of Supervisor Strategic Initiatives in that it supports the IT Department's cyber threat hunting activities. These activities assist with the conduct of County business by assuring the availability of its information assets, actively monitoring those assets for compromise, and enabling the effective business recovery of information assets that have been compromised.

- ☒ Economic Development
- ☒ Administration
- ☒ Health & Human Services
- ☒ Infrastructure

X Public Safety

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

Approved by:

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

Attachments: Software Licensing Program agreement; CDW-G Order Form

Attachments on file with Clerk of the Board