



# County of Monterey

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

## Board Report

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**File #:** 12-1096, **Version:** 1

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- a. Approve and authorize the Contracts/Purchasing Officer to execute an Agreement with Websense Inc. on behalf of the County of Monterey for the provision of software subscription for the Websense Web Security software in the amount of \$34,872 for the period of March 1, 2013 through February 29, 2014;
- b. Accept non-standard County liability and indemnification provisions as recommended by the Director of Information Technology; and
- c. Authorize the Contracts/Purchasing Office to sign up to two one-year extensions to this Agreement subject to a 10% subscription price increase limitation each year.

### RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Approve and authorize the Contracts/Purchasing Officer to execute an Agreement with Websense Inc. on behalf of the County of Monterey for the provision of software subscription for the Websense Web Security software in the amount of \$34,872 for the period of March 1, 2013 through February 29, 2014;
- b. Accept non-standard County liability and indemnification provisions as recommended by the Director of Information Technology; and
- c. Authorize the Contracts/Purchasing Office to sign up to two one-year extensions to this Agreement subject to a 10% subscription price increase limitation each year.

### SUMMARY/DISCUSSION:

As part of the development of the Internet use policies, Monterey County Information Technology (ITD) evaluated service providers of Internet content management, Internet blocking, and Internet filtering applications in 2002. This due diligence was in an effort to ensure that a reliable application capable of operating effectively on the County's network infrastructure which includes multiple network topologies was chosen. The intent of this process was also to ensure the available Internet bandwidth was used for legitimate County business. Websense Web Security software was the product chosen and used by ITD since 2002 and is acquired through Network Computing Architects, Inc. which is a third party vendor approved by Websense Inc. to sell the licensing subscriptions and maintenance/support.

Websense Inc. is recommending indemnification and liability language which is not standard to the county but standard in software industry and poses minimal exposure to liability as determined and recommended by the Director of Information Technology.

This software product has proven to be valuable in ensuring appropriate use of County resources and the County has used this software without incident. Given the consistently reliable functionality of this software and without which the County Internet access would be completely open for access; it is the recommendation of the Director of ITD that the Board approve the proposed Agreement. The approval of this Agreement will enable ITD to continue to implement internet blocking and filtering as well as apply both global and local Internet based traffic policies as requested by the departments within the County.

### 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 inconsistent terms regarding potential refunds. The Agreement is on file with the Clerk of the Board.

FINANCING:

The funds for payment of this Agreement have been included in the FY 2012-13 Adopted Budget for the Information Technology Department, ITD 1930, Unit 8137, Appropriations Unit INF002. As with all technical support/maintenance charges for software licenses, the fee is paid once a year although the single year coverage spans over two separate fiscal years.

Prepared by: Sarah House, Management Analyst III, 755-5108

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

Attachments: Agreement