



# County of Monterey

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

## Legislation Details (With Board Report)

**File #:** 20-947 **Name:** Unitrends Agreement 2021-2023  
**Type:** BoS Agreement **Status:** Passed - Treasurer Tax Collector  
**File created:** 11/10/2020 **In control:** Board of Supervisors  
**On agenda:** 12/8/2020 **Final action:** 12/8/2020

**Title:** a. Approve and authorize a non-standard agreement in the amount of \$25,000, between the County of Monterey, by and through the Monterey County Treasurer-Tax Collector, and Unitrends, which specifies a backup and disaster recovery solution with on-premises and cloud backup of critical finance system data, for the period of January 1, 2021 through June 30, 2024; and  
b. Authorize the Monterey County Treasurer-Tax Collector to sign the non-standard Agreement for Unitrends to provide a data backup and disaster recovery solution; and  
c. Authorize the Monterey County Treasurer-Tax Collector to amend the Agreement with Unitrends by one three-year extension or up to three one-year contract extensions, where the Amendment extension(s) do not exceed ten percent of the original Agreement amount per annual extension or significantly change the scope of work.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Board Report, 2. Unitrends Proposal - Pricing, 3. Proposed End User License Agreement, 4. Item No. 55 Completed Board Order

Date	Ver.	Action By	Action	Result
12/8/2020	2	Board of Supervisors		

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### **RECOMMENDATION:**

It is recommended that the Board of Supervisors:

- a. Approve and authorize a non-standard agreement in the amount of \$25,000, between the County of Monterey, by and through the Monterey County Treasurer-Tax Collector, and Unitrends, which specifies a backup and disaster recovery solution with on-premises and cloud backup of critical finance system data, for the period of January 1, 2021 through June 30, 2024; and  
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### **SUMMARY/DISCUSSION:**

The Monterey County Treasurer-Tax Collector (TTC) safeguards critical financial system data with a backup and disaster recovery system solution to prevent loss of data from user error, system failure, and/or natural disaster. This solution provides both on-premises backup as well as offsite cloud backup, with advanced

Ransomware protection. This solution provides additional benefits with a quick Recovery Time Objective (RTO) and minimizes data loss with a robust Recovery Point Objective (RPO). These features enable the department to minimize and/or eliminate data loss, as well as reduce down-time in a disaster situation.

On January 1, 2018, the County entered into a three (3) year agreement with KIS/Barracuda Networks for a on premises/cloud backup solution. In preparation for the agreement end-date of December 31, 2020, negotiations to extend the contract for an additional three (3) years was initiated. The amended agreement received by the County included a 35% increase in pricing. This significant increase prompted the TTC to research other vendors that provide a similar or better solution. Because Unitrends provides additional features at a more reasonable cost, the TTC desires to enter into a non-standard 42-month term agreement, starting January 1, 2021. The requested 'not to exceed' amount of \$25,000 includes a buffer for estimated taxes and delivery costs.

Unitrends currently provides similar services to at least one other County department without issue. Use of the Unitrends type services are a business necessity for the TTC Office. The non-standard terms are industry standard for this type of service. It is the recommendation of the Treasurer-Tax Collector that the Agreement with Unitrends be accepted by the County notwithstanding the non-standard terms and conditions.

#### **OTHER AGENCY INVOLVEMENT:**

County Counsel has reviewed the Unitrends End User License Agreement and Vendor Proposal Terms & Conditions - Government and other related documents and is not able to approve them due to the existence of non-standard terms, including but not limited to the existence of 'as-is' provisions, lack of insurance, no warranty, lack of indemnity, and jurisdiction/venue outside of California.

#### **FINANCING:**

Effective January 1, 2021 through June 30, 2024, the recommended Agreement will provide an essential function to protect and preserve sensitive and business-critical financial data. The cost, including a buffer for estimated taxes and delivery charges, is based on the Unitrends Proposal - Pricing Local Backup w/Replication to the Unitrends Forever Cloud for a 42-month term, which is attached and is part of the Agreement. The TTC accounted for the full cost of the existing or a similar Agreement and the required funding is included in its FY 2020-21 Adopted Budget. There is no additional impact to the General Fund. The recommended alternative for one three-year extension or three one-year extensions will be determined prior to the end of the 42-month term based on departmental needs and the best interests of the County at that time.

#### **BOARD OF SUPERVISORS STRATEGIC INITIATIVES**

The request to enter into this agreement supports the County's Administration policy because it allows the department to operate in an efficient and cost-effective manner and preserve and protect crucial financial data. Mark a check to the related Board of Supervisors Strategic Initiatives:

☒ Administration

Prepared by: Sean Gomes, Finance Systems Manager, x5436

Approved by: Mary A. Zeeb, Treasurer-Tax Collector, x5474

Attachments: Unitrends Proposal - Pricing  
Proposed End User License Agreement