



## Legislation Text

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**File #:** 24-0062, **Version:** 1

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Information Technologies Department recommending the Board:

- 1) Make findings, in accordance with Procurement Policy C-17, Section 3.4, Exemptions from Competitive Bidding, Section 2 (f), the procurement of services from Executech Utah LLC is for goods where the continuity of providers will provide efficiency or critical knowledge, and other providers of the goods cannot provide similar efficiencies or critical knowledge;
- 2) Authorize the Purchasing Agent to execute Purchase Contract 8388 with Evergreen Services Topco LLC, dba Executech Utah LLC in the amount of \$385,541.34 for the renewal of Rubrik Disaster Recovery Services from January 31, 2024 through January 30, 2027 contingent upon County Counsel and Risk Management approval; and
- 3) Authorize the Contract Administrator to execute Executech Quote 006393 for Rubrik software licenses and support.

**FUNDING:** General Fund.

### **DISCUSSION / BACKGROUND**

The Information Technologies (IT) Department has been using Rubrik Cloud Data Management and Disaster Recovery solutions to provide protection of County data since November 2019. Rubrik provides data recovery services for mission critical services and functions in the event of natural disasters, equipment failure, corruption of data, and the ability to recover in the event of a cyber-attack. This solution improves the security of County systems and data and provides back-up and recovery capabilities that are in line with IT Cyber-security Backup and Recovery Control requirements as defined by National Institute of Standards and Technology (NIST). Rubrik allows for automated backups, synchronized backups stored off-premise in physical and digitally secured cloud formats for recovery resilience, and timely recovery in the event of a major disaster.

The Rubrik solution was originally purchased through DSA Technologies, Inc. using California Multiple Award Schedules (CMAS) contract #3-18-70-3164H in January 2020, after successful completion of a three-month no-cost proof-of-concept trial period. DSA Technologies has been acquired by Evergreen Services Topco LLC, dba Executech Utah LLC. CMAS contract #3-18-70-3164H expired in May 2021. However, Executech has continued to offer El Dorado County IT pricing discounts as provided under the original CMAS agreement with DSA. On July 19, 2022, the Board approved item 22-1055 authorizing the Purchasing Agent to execute Purchase Contract 6729, referencing quotes #005140 and #005145, to renew the County's Rubrik Foundation to Enterprise Edition Software Licenses from July 29, 2022, through January 28, 2024, and provide continuation of Rubrik Cloud Data Management (RCDM), Polaris Global Protection Services, CloudOut, and Rubrik Edge hardware and software support and cloud services from January 31, 2023, through January 30, 2024.

IT is requesting the Board make findings in accordance with Procurement Policy C-17, Section 3.4, Exemptions from Competitive Bidding, Section 2 (f) since the procurement is for goods where the continuity of providers will provide efficiency or critical knowledge, and other providers of the goods cannot provide similar efficiency or critical knowledge. There is a significant loss of continuity,

efficiencies, and loss of staff time to change providers. Changing providers would require a large-scale project, impacting multiple areas within the IT Department. This type of change would require months of planning to execute within the server/network/security frameworks that are currently in place. Rubrik List Price for Services totals \$1,042,247.82 and the National Association of State Procurement Officials (NASPO) pricing for Services under AR2472 totals \$990,866.94. Executech is offering a three-year prepaid contract for \$385,541.34, which is a savings of over \$600,000.

Purchase Contract 8388, referencing quote #006393, renews the County's Rubrik Foundation to Enterprise Edition Software Licenses and provides continuation of Rubrik Cloud Data Management (RCDM), Polaris Global Protection Services, CloudOut, and Rubrik Edge hardware and software support and cloud services for a three-year period from January 31, 2024, through January 30, 2027. County Counsel and Risk Management approvals will be attained in workflow.

## **ALTERNATIVES**

The Board could redirect Information Technologies to look into alternative solutions, which in the past did not offer comprehensive disaster or data recovery services. Not renewing the current solution could leave the County vulnerable to major disasters until alternative solutions could be identified and implemented, at potential greater cost to the County.

## **PRIOR BOARD ACTION**

22-1055 - On July 19, 2022, the Board approved Agreement 6729 with Evergreen Services Topco LLC, dba Executech Utah LLC in the not-to-exceed amount of \$150,763.54 for the renewal of Rubrik Disaster Recovery Services from July 29, 2022 through January 30, 2024.

20-0092 - On January 28, 2020, the Board approved Rubrik Disaster Recovery solution.

## **OTHER DEPARTMENT / AGENCY INVOLVEMENT**

Procurement & Contracts

## **CAO RECOMMENDATION / COMMENTS**

Approve as recommended.

## **FINANCIAL IMPACT**

There is no change to budgeted Net County Cost. Funding is available in the Information Technologies Department Budget for Fiscal Year 2023-24 and will be included in future year budgets as needed.

## **CLERK OF THE BOARD FOLLOW UP ACTIONS**

N/A

## **STRATEGIC PLAN COMPONENT**

Infrastructure & Good Governance.

## **CONTACT**

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