



EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL:		DocuSigned by: <i>Michael Jones</i> 47000790F2D7463...		GENERAL MANAGER ACTION REQ'D:	
DATE: 12/22/2022		1/18/2023		BOARD INITIATED ITEM: No	
Originator/Prepared by: Johanna Montilla Dept: OCIO		General Counsel		Controller/Treasurer	
DocuSigned by: <i>Travis Engstrom</i> DA1FD220BBD5468...		DocuSigned by: <i>Jana Belan</i> F8FD7B3A73E74E8...		DocuSigned by: <i>Chris Gan</i> EE11C8CEEEA04FD...	
Signature/Date: 1/17/2023		1/17/2023		1/17/2023	
		[]		[]	
				District Secretary	
				BARC	
				DocuSigned by: <i>Pamela Herhold</i> 3BB24D65B8724F5...	
				1/18/2023	
				[]	

Software Licenses: Enterprise Log Management

PURPOSE:

To request Board authorization for the General Manager to agree to purchase from Carahsoft Technology Corporation ("Carahsoft"), a reseller of Splunk Software extended and expanded software license subscription terms for three (3) years of security services and tools for an amount not to exceed \$1,677,238.32.

DISCUSSION:

The proposed purchase is to provide software support for enterprise logging technology and services within the BART network. These tools will expand the District's security logging posture and increase segmented controls, as well as migrate existing logging technology to a Splunk Cloud service.

The procurement will be made through the National Association of State Procurement Officials (NASPO) cooperative purchasing program approved for purchase of software services by the Board in 2016. NASPO ValuePoint (formerly WSCA-NASPO) is a cooperative purchasing program, aggregating the demand of all 50 states, the District of Columbia and the organized US territories, their political subdivisions and other eligible entities.

Because the State of California participates in the NASPO program, its local agencies and districts, including BART, are authorized by California Public Contract Code section 10298 to purchase items from the suppliers' awarded contracts by NASPO

without further competitive bidding if there is California state participation in the specified negotiated NASPO contract. This procurement will be pursuant to the ValuePoint Master Agreement Number AR2472 and the State of California Participating Addendum Number 7-17-70-40-05, expiring September 15, 2026. The procurement will be from Carahsoft, an authorized reseller of Splunk software.

Pursuant to the District's Non-Federal Small Business Program, the District conducted an analysis and determined that there are no certified Small Businesses (SB) certified by the California Department of General Services and there are no verified Local Small Businesses (LSB) capable of providing the goods and services in this scope of work. Therefore, the Small Business Program does not apply to this NASPO ValuePoint agreement.

Pursuant to the District's Non-Discrimination Program for Subcontracting, the Availability Percentages for this Contract are 5.5% for Minority Business Enterprises (MBEs) and 2.8% for Women Business Enterprises (WBEs). Carahsoft will not be subcontracting any portion of the Work and therefore, the provisions of the District's Non-Discrimination Program for Subcontracting do not apply. The Office of General Counsel will approve the agreement as to form before it is executed.

FISCAL IMPACT:

The proposed agreement is for an amount not to exceed \$1,677,238.32.

The purchase price funds will be from the BART Office of the Chief Information Officer (OCIO) Operating budget (Dept 0504463, Account 681355) as follows:

Proposed Funding	
FY23	\$976,393.35
FY24	\$350,422.47
FY25	\$350,422.50
Total	\$1,677,238.32
<i>*Funding is expected to begin 2/1/2023.</i>	

Approximately \$85,810.14 of this contract is included in the Adopted FY23 and FY24 Operating Budget. The remaining \$1,591,428.18 is not included in the Adopted FY23 and FY24 Operating Budget. Pending Board approval, it will be included in the

Preliminary FY24 and FY25 Operating Budget.

This action is not anticipated to have any Fiscal Impact on un-programmed District Reserves in the current Fiscal Year.

ALTERNATIVES:

The District could choose not to implement the renewal and improvements, leaving the District at greater exposure of malicious cyber-attacks.

RECOMMENDATION:

It is recommended that the Board adopt the following motion:

MOTION:

The General Manager is authorized to purchase Splunk Software extended license subscriptions and expanded security services and tools from Carahsoft, for an amount not to exceed \$1,677,238.32.