



EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL:		DocuSigned by: <i>Michael Jones</i> 47000790F2D7463...		GENERAL MANAGER ACTION REQ'D:	
DATE: 10/31/2022		11/9/2022		BOARD INITIATED ITEM: No	
Originator/Prepared by: Michael Gerbracht Dept: Strategic Engineering DocuSigned by: <i>Michael Gerbracht</i> 09289FE4E244436... Signature/Date: 11/7/2022		General Counsel DocuSigned by: <i>Jana Belan</i> F8FD7B3A73E74E8... 11/7/2022 []		Controller/Treasurer DocuSigned by: <i>Chris Gan</i> EE11C8CEEEA04FD... 11/7/2022 []	
				District Secretary DocuSigned by: <i>Shane Edwards</i> 8128A2EB2F014F3... 11/7/2022 []	
				BARC DocuSigned by: <i>Shane Edwards</i> 8128A2EB2F014F3... 11/7/2022 []	

Procurement of BARTNET Hardening Equipment: Rubrik Data Storage equipment from ePlus via a NASPO ValuePoint contract

PURPOSE:

To request Board authorization for the General Manager to execute a contract with ePlus Technology, Inc (ePlus) for the purchase of Rubrik data storage equipment for an amount not to exceed \$135,000.

DISCUSSION:

The purpose of the project is to upgrade BART's Districtwide Operational Technology Networking Infrastructure (DOTI) for improved protection against malicious cyberattacks. This project consists of a multi-dimensional approach to include replacement of critical components with new more secure equipment and implementation of new systems to improve security.

This procurement will provide new Rubrik data storage equipment with 30 TB of data backup that cannot be corrupted and will provide crucial security against ransomware attacks. The procurement includes \$25,320 for licenses and service support contracts covering 3 years. After the initial term, annual renewal of licenses and other ongoing support costs of approximately \$25,000 will be required from the District's Operating Budget.

This procurement is being made through the National Association of State Procurement Officials (NASPO) cooperative purchasing program approved by the Board in 2016.

NASPO ValuePoint (formerly WSCA-NASPO) is a cooperative purchasing program,

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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.

This procurement will be pursuant to the Utah ValuePoint Master Agreement Number AR2472 and the State of California Participating Addendum Number 7-17-70-40-05 with Carahsoft Technology Corp., expiring September 15, 2026. The procurement will be from ePlus, an authorized re-seller of Rubrik equipment and services under this NASPO Master Agreement.

Pursuant to the District's Disadvantaged Business Enterprise ("DBE") Program, the Office of Civil Rights reviewed the scope of work for this NASPO ValuePoint purchase and determined that there were no DBE subcontracting opportunities; therefore no DBE participation goal was set for this purchase.

The Office of General Counsel will approve the agreement as to form before they are executed.

The Procurement Department will review the agreement to confirm compliance with the District's procurement standards.

FISCAL IMPACT:

Funding in the amount of \$135,000 for the procurement of Rubrik data storage equipment is included in the total project budget for project 79LV000 BARTNET System Hardening.

The table below lists funding assigned to the referenced project and is included to track funding history against spending authority. Funds needed to meet this request will be expended from the sources listed.

Fund	Description	Type	Amount
3017	FTA 5307 & 5337 CA2020-086-00	FEDERAL	800,000
8534	FY2020 Operating Capital Alloc	INTERNAL	104,000
8529	FY 2015 Operating Capital Allo	INTERNAL	180,000
8531	FY2017 Operating Capital Alloc	INTERNAL	990,821
8533	FY2019 Operating Capital Alloc	LOCAL	685,216
3020	FTA 5307-5337 CA 2020-247-00	FEDERAL	712,000
3025	FTA 5307 & 5337 CA-2021-163-00	FEDERAL	2,400,000
3614	FTA 5337 CA-2022-200-00 SGR	FEDERAL	800,000

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3013	FTA 5307-5337 CA 2018-084-00	FEDERAL	1,480,000
8536	FY 2022 Oper Cap Allocation	INTERNAL	200,000
3609	FTA 5307/5337 CA-2017-029-00	FEDERAL	720,000
TOTAL			9,072,037

As of October 26, 2022, \$9,072,037 is the total budget for this project. BART has expended \$6,379,461 committed \$38,891 and reserved \$484,098 to date. This action will commit \$135,000, leaving an available fund balance of \$2,034,587 in these fund sources for this project.

The Office of the Controller/Treasurer certifies that funds are currently available to meet this obligation.

There is no fiscal impact on available un-programmed District Reserves.

ALTERNATIVES:

The District could choose not to implement the improvements, leaving the District at greater risk of malicious cyberattacks such as ransomware attacks.

The District can seek to competitively bid this procurement, which is not likely to result in lower Bid prices and will result in later delivery of the hardware and software.

RECOMMENDATION:

It is recommended that the Board adopt the following motion:

MOTION:

The General Manager is authorized to execute a contract with ePlus Technology, Inc. for the procurement of Rubrik data storage equipment for an amount not to exceed \$135,000.