

# Mayor and Council Communication

**DATE:** 11/29/22

**M&C FILE NUMBER:** M&C 22-0938

**LOG NAME:** 04DEVO CYBERSECURITY SOFTWARE

## **SUBJECT**

(ALL) Authorize Execution of an Agreement with Critical Start, Inc. for Devo Cybersecurity Software as a Service in an Amount Up to \$173,607.95 for the First Year with Three Annual Renewal Options using a Cooperative Agreement for the Information Technology Solutions Department

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## **RECOMMENDATION:**

It is recommended that City Council authorize the execution of an agreement with Critical Start, Inc. for Devo Cybersecurity Software as a service in an amount up to \$173,607.95 for the first year with three annual renewal options using Texas Department of Information Resources DIR-CPO-4851 for the Information Technology Solutions Department.

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## **DISCUSSION:**

Cybersecurity software Devo was implemented in 2021 to replace failing software Splunk "Security Information and Event Management" solution which was in place for many years prior. Devo performs a critical security function by consolidating and analyzing the security logs generated on systems across the environment and generates alerts on suspicious activity helping activate our incident and threat response process. Devo stores 400 days of log event data that Information Technology Solutions (ITS) Department is unable to store on-site or within existing systems due to space constraints.

**COOPERATIVE PURCHASE:** State law provides that a local government purchasing an item under a cooperative purchasing agreement satisfies State laws requiring that the local government seek competitive bids for purchase of the item. Cooperative contracts have been competitively bid to increase and simplify the purchasing power of local government entities across the State of Texas.

**SUCCESSOR CONTRACTS:** In the event the Texas Department of Information Resources (DIR) agreement is not renewed, staff would cease purchasing at the end of the last purchase agreement coinciding with a valid DIR agreement. If the City Council were to not appropriate funds for a future year, staff would stop making purchases when the last appropriation expires, regardless of whether the then-current purchase agreement has expired.

The City will initially use the DIR contract to make purchases authorized by this Mayor and Council Communication (M&C). The Cooperative Contract is set to expire February 21, 2025. If DIR-CPO-4851 is extended, this M&C authorizes the City to purchase similar equipment and supplies under the extended contract. If DIR-CPO-4851 is not extended but DIR executes a new cooperative contract with Critical Start, Inc. and with substantially similar terms, this M&C authorizes the City to purchase the services under the new DIR contract. If this occurs, in no event will the City continue to purchase services under the new agreement for more than three (3) years without seeking Council approval.

Funding is budgeted in Other Contractual Services of the Information Technology Solutions Department's Info Technology Systems Fund, as appropriated.

**BUSINESS EQUITY:** A goal is not assigned when purchasing from an approved purchasing cooperative or public entity.

**AGREEMENT TERM:** Upon City Council approval, the Agreement will become effective and expire January 19, 2024 in accordance with the DIR contract. The agreement may be renewed on an annual basis thereafter.

**RENEWAL OPTIONS:** This agreement may be renewed up to three one-year renewal terms at the City's option. This action does not require specific City Council approval provided that the City Council has appropriated sufficient funds to satisfy the City's obligations during the renewal terms.

**ADMINISTRATIVE CHANGE ORDER -** An administrative change order or increase may be made by the City Manager up to the amount allowed by relevant law and the Fort Worth City Code and does not require specific City Council approval as long as sufficient funds have been appropriated.

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## **FISCAL INFORMATION / CERTIFICATION:**

The Director of Finance certifies that upon approval of the recommendation, funds are available in the current operating budget, as previously appropriated, in the Information Technology Systems Fund. Prior to an expenditure being incurred, the Information Technology Solutions Department has the responsibility to validate the availability of funds.

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