



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: November 8, 2022
Subject: Contract #23-760 with Semperis Inc.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County a Semperis Product Agreement containing mutual indemnification with Semperis Inc., a corporation, in an amount not to exceed \$164,000, to provide disaster recovery software, maintenance, and support for Contra Costa Health Services for the period from November 8, 2022, through November 14, 2024.

FISCAL IMPACT:

This agreement will result in contractual service expenditures of up to \$164,000 over a 2-year period and will be funded 100% by State Epidemiology and Laboratory Capacity (ELC) Expansion funding.

BACKGROUND:

This agreement meets the needs of the Health Services Department by providing the ability to more quickly recover from a cyber-attack that impacts Active Directory (AD) services. Semperis' Active Directory Forest Recovery management platform is the only

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY
ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **11/08/2022** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Diane Burgis, District III Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: November 8, 2022

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: Laura Cassell, Deputy

Contact: Patrick Wilson,
925-335-8777

tool of its kind that can recover AD in just a few mouse clicks, saving many hours of manual work to recover AD. The Health Services Department solicited Active Directory Recovery solution providers with automated capabilities for the recovery. After searching for a solution that timely recovers Active Directory, the department found that Semperis is the only provider of a solution that does not require tedious manual configuration changes to restore the critical services provided by active directory. Semperis was also the only vendor in this space that came out of the Microsoft incubation program allowing its direct access to the creators of AD, Microsoft.

This agreement obligates the County to defend and indemnify Semperis against claims resulting from the County's infringement of any other person's rights through the County's use of the Semperis product in breach of the agreement. Semperis' liability under

BACKGROUND: (CONT'D)

the agreement is limited to the amount the County has paid in the year prior to any claim, except with respect to claims arising out of Semperis' willful misconduct, fraud, personal injury or death claims, for which there isn't a liability cap, and Semperis' total liability to County for its indemnity obligations is capped at three times the amount of fees paid by the County in the year preceding a claim.

Approval of Agreement #23-760 allows this new contractor to provide services through November 14, 2024.

CONSEQUENCE OF NEGATIVE ACTION:

If this recommendation is not approved, the department will not have access to this Active Directory recovery tool, putting its systems at risk of cyber-attacks which can detrimentally affect finance, workflows, data, and consequently, patient care.