

**FIRST AMENDMENT TO INTERGOVERNMENTAL AGREEMENT  
TO PROVIDE FIRE PROTECTION**

**THIS FIRST AMENDMENT TO INTERGOVERNMENTAL AGREEMENT** (“Amendment”) made and entered effective as of the last date set forth on the signature pages below by and between the **CITY OF SHERIDAN**, a Colorado home rule municipality located in Arapahoe County, Colorado (“**Sheridan**”), and the **CITY AND COUNTY OF DENVER**, a Colorado home rule municipality (“**Denver**”).

**RECITALS:**

**WHEREAS**, Sheridan and Denver entered into an Intergovernmental Agreement to Provide Fire Protection dated August 10, 2010 (“**IGA**”); and

**WHEREAS**, Sheridan and Denver now desire to amend that IGA in order for Denver to undertake such fire prevention services as specified in Exhibit C to this Amendment and to increase the compensation under the IGA with respect to those fire prevention services.

**NOW, THEREFORE**, in consideration of the foregoing premises, and the terms and conditions contained in this Amendment, the Parties agree as follows:

A. Sub-paragraph 5.1 of the IGA is hereby amended to read, and a new Exhibit C, as referred to in this amended Sub-paragraph 5.1 of the IGA and attached and incorporated into this Amendment, shall replace and supersede the Exhibit C attached to the IGA:

5.1 **FIRE PREVENTION SERVICES:** Sheridan and Denver agree that Denver will provide such fire prevention services as specified in **Exhibit C**, which is attached to this Amendment and incorporated herein by this reference. Sheridan and Denver agree to cooperate and coordinate with respect to such fire prevention services.

B. Paragraph 10 of the IGA is hereby amended to read:

10. **PAYMENTS BY SHERIDAN:** For the term of this Agreement following the Interim Period, Sheridan shall pay Denver one hundred fifty thousand dollars (\$150,000.00) per month, to be paid by the tenth day of each month, beginning with November of 2010 and running through December of 2012, subject to annual appropriations. In addition, in consideration of the fire prevention services specified in **Exhibit C**, Sheridan shall pay Denver five thousand four hundred sixteen dollars (\$5,416.00) per month, to be paid by the tenth day of each month, beginning with the date such services start being provided and running through

10-766-B

December of 2012, subject to annual appropriations. As a credit for the Sheridan Equipment and Rolling Stock being transferred to Denver, Sheridan's monthly payments for the months of November 2010 and December 2010 shall each be reduced to equal zero dollars (\$0.00), and the monthly payments from January through December of 2011 shall each be reduced by five thousand dollars (\$5,000.00). If payment is not received by the tenth day of the month, interest shall accrue on the unpaid portion at a rate of 12% per annum.

C. Except as expressly provided in this Amendment, the IGA is affirmed and ratified in all particulars.

**Contract Control Number:** FIRES-RC03020-01

**Contractor Name:** City of Sheridan

IN WITNESS WHEREOF, the parties have set their hands and affixed their seals at Denver, Colorado as of

SEAL

**CITY AND COUNTY OF DENVER**

ATTEST:

By \_\_\_\_\_

\_\_\_\_\_

APPROVED AS TO FORM:

REGISTERED AND COUNTERSIGNED:

DOUGLAS J. FRIEDNASH, Attorney  
for the City and County of Denver

By \_\_\_\_\_

By \_\_\_\_\_

By \_\_\_\_\_



Contract Control Number: FIRES-RC03020-01

Contractor Name: City of Sheridan

By: Dallas Hall

Name: DALLAS HALL  
(please print)

Title: MAYOR  
(please print)

ATTEST: [if required]

By: Arlene Sagee

Name: Arlene Sagee  
(please print)

Title: City Clerk  
(please print)



## EXHIBIT C

### Consultation at Emergency Incidents

- When there is a risk of structure collapse, upon request of the Sheridan Incident Commander, a Denver Fire Department Protection Engineer will respond to the scene to evaluate safety for responding firefighters.

### Referenced Standards

The Denver Fire Code and the standards referenced therein will be the compliance standards referenced for review of proposed construction plans and inspection of properties in the City of Sheridan.

### Plan Review

- **Pre-construction Conferences.** Denver Fire Department, Fire Prevention, Fire Protection Engineering and Uniformed Personnel (collectively hereinafter referred to as "Denver Fire Personnel") will be notified by Sheridan and shall participate in pre-construction conferences along with the appropriate Sheridan official(s), to answer questions relating to fire protection features in the planned building, fire code requirements, and to discuss comments provided during the plan review process. All comments by Denver Fire Personnel will be directed in writing to the appropriate Sheridan official(s).
- **Site Plan Review.** Denver Fire Personnel will be notified by Sheridan and shall participate in project site plan reviews along with the appropriate Sheridan official(s). All comments will be directed in writing to the appropriate Sheridan official(s).
- **Preliminary Plan Review.** Denver Fire Personnel will be notified by Sheridan and shall participate in review of project preliminary plans along with the appropriate Sheridan official(s). All comments will be directed in writing to the appropriate Sheridan official(s).
- **Final Building Plans and Specifications.** Denver Fire Personnel will be notified and shall participate in review of project final building plans and specifications along with the appropriate Sheridan official(s). All comments will be directed in writing to the appropriate Sheridan official(s).

Denver Fire Personnel shall upon determination that the plans comply with the applicable fire code requirements notify Sheridan's building official in writing that there is no objection to issuance of a building permit. Sheridan shall provide building construction addresses, timelines and other pertinent information to the fire companies responsible for suppression and/or fire inspection of the building. Denver Fire Personnel shall participate in rough-in inspections during construction.

- **Certificates of Occupancy.** Denver Fire Personnel will be notified by Sheridan and shall participate in the final inspection process, and the final sign-off on the building before the certificate of occupancy is issued. Denver Fire Engineering and Prevention Personnel will assist the appropriate Sheridan official(s) in testing all life safety systems prior to issuance of the certificate of occupancy. All comments will be directed in writing to the appropriate Sheridan official(s).
- **Consultation.** If requested Denver Fire Personnel shall offer consulting services to the Sheridan community, including design professionals, contractors and trades craftsman, property owners, managers, occupants, and members of the general public. The consulting services will include: explanation of the fire code and fire-related sections of the building code, application of specific standards, and information about the most effective means to deal with fire and emergency hazard situations. All comments will be directed in writing to the appropriate Sheridan official.

### **Business License Inspections**

Prior to approval of any initial general or specialized business license by Sheridan, an inspection will be conducted by Fire Prevention Personnel to determine compliance with the fire code. The findings will be forwarded to the appropriate Sheridan official(s) for review. Fire Prevention Personnel shall also, where required, provide inspections for the renewal of general and specialized business licenses.

### **Fire Safety Inspections, Basic Fire Inspections and Emergency Pre-plans**

- **Commercial Fire Safety Inspections and Basic Annual Inspections.** All commercial properties in the City of Sheridan, including residential properties of more than two units, will receive an annual inspection conducted by Denver Fire Department Personnel. For target properties (those that require specialized technical knowledge) Denver Fire Prevention Personnel will conduct the annual fire safety inspection. For all other commercial properties, Denver Fire Personnel will conduct a basic fire inspection. All comments will be submitted in writing to the appropriate Sheridan official. Denver Fire Personnel will advise the appropriate Sheridan official(s) of any violation(s) discovered during the course of the inspection. Sheridan shall be solely responsible for any enforcement action concerning the violation.

Denver Fire Personnel will not participate in fire safety inspections or basic fire inspections of individual or duplex residential units unless requested by the resident and authorized by Sheridan officials, the building's ownership or building management.

- **Emergency pre-plans.** Denver Operations Division firefighters will conduct an annual emergency pre-plan or inspection (pre-fire planning) for every commercial property and residential properties of more than two units.
- **Special or Technical Inspections.** Denver Fire Personnel will conduct fire code and or safety inspections requiring specialized or technical expertise upon request from authorized Sheridan

officials. Denver Fire Personnel will also be available, upon request, to assist Sheridan property owners or managers in the development of emergency procedures and emergency evacuation plans. All comments will be submitted in writing to the Sheridan official(s) responsible for the enforcement of code requirements pertaining to emergency procedures concerning such property. In the event of identification of any violation that poses an immediate hazard to life or property Denver Fire Personnel will immediately contact the Sheridan Police Department who shall be responsible for any enforcement action.

- **Nightclubs and Other Assembly Occupancies.** The Denver Fire Prevention Duty Officer will respond to complaints or reports of overcrowding or other fire safety related concerns. If, during a response to a nightclub, fire prevention concerns, including but not limited to, overcrowding or blocked exits, are identified, Denver Fire Personnel will contact the Sheridan Police Department who shall be responsible for any enforcement action.
- **Fees.** Fees for fire safety inspections, basic fire inspections, and fire safety permits will not be levied unless authorized by Sheridan.

### **Permits**

- **Fire Safety Permits Program.** Denver Fire Personnel will assist Sheridan officials in developing a Fire Safety Permits Program to identify and regulate potential hazards, to include but not limited to, Hazmat, hot works and compressed gases. Copies of the permits will be provided to the fire companies that are most likely to respond to the identified properties.

### **Central Station Monitoring of Protected Properties**

Sheridan will identify those properties that to its knowledge are protected by life safety systems and monitored by a central station agency and notify those properties to immediately contact the City of Denver Fire Dispatch Center in the event of an emergency.

### **Licensing**

Sheridan shall take all steps necessary to ensure that Denver Fire Department license requirements regarding the design, installation, modification, inspection, and testing of all life safety systems and equipment are adopted by the City of Sheridan. In addition Sheridan shall require that all fitters/technicians be licensed to design, add to, modify, inspection, test, maintain, and repair life safety systems and equipment.

### **Method for Resolving Disagreements**

A procedure acceptable to Denver Fire shall be developed by Sheridan to resolve any disputes between Denver Fire and Sheridan officials (s) involved in the performance of the duties set forth herein. Sheridan's City Manager guided by the principle of public safety shall render the final

decision regarding any disagreement between the parties.

**Record Keeping**

The Denver Fire Department's Fire Prevention Division is responsible for maintaining well-organized, complete and accurate records and files on all actions taken (plan review, consultation, inspections, and permits). All records and files will be shared between the Denver Fire Department and the appropriate Sheridan official(s).