

JCECA RESOLUTION | 2019-01

RECITALS

A. The Jefferson County Emergency Communications Authority (“JCECA”) was created by intergovernmental agreement pursuant to C.R.S §§ 29-1-203.5 and 29-1-203 as a separate legal entity and political subdivision of the State of Colorado to collect the emergency telephone charge (the “ETC”) and provide funding for 9-1-1 service in Jefferson and Broomfield Counties.

B. C.R.S. § 24-101-105(2) authorizes all political subdivisions and local public agencies of this state to adopt all or any part of the state Procurement Code, C.R.S § 24-101-101, *et seq.*, and its accompanying rules.

RESOLUTION

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of JCECA that:

In accordance with C.R.S § 24-101-105(2), JCECA hereby adopts C.R.S. § 24-106-109, to be effective as if JCECA were the state.

C.R.S. § 24-106-109 states:

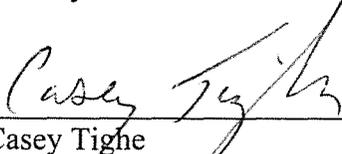
Any term or condition in any contract entered into by the state that requires the state to indemnify or hold harmless another person, except as otherwise authorized by law, or by which the state agrees to binding arbitration or any other binding extra-judicial dispute resolution process in which the final resolution is not determined by the state, or by which the state agrees to limit liability of another person for bodily injury, death, or damage to tangible property of the state caused by the negligence or willful misconduct of such person or such person's employees or agents shall be void ab initio; except that the contract containing that term or condition shall otherwise be enforceable as if it did not contain such term or condition. All contracts entered into by the state, except for contracts with another government, shall be governed by Colorado law notwithstanding any term or condition to the contrary.

**BE IT FURTHER RESOLVED**, that nothing herein shall abrogate any provision of law that prohibits or limits JCECA from indemnifying other persons or entities.

**BE IT FURTHER RESOLVED**, that nothing herein shall waive any defense JCECA may have against a claim for indemnification.

ADOPTED on 2-28, 2019.

I certify that the above resolution was adopted as set forth above.

  
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Casey Tighe  
JCECA Board Chair