September 27, 2018,

Mr. Tom Church  
Cabinet Secretary  
New Mexico Department of Transportation  
PO Box 1149  
Santa Fe, NM 87507  

Dear Secretary Church:

The Federal Highway Administration, New Mexico Division Office, has reviewed the New Mexico Department of Transportation's Certification of certain street lighting materials to be used on Federal-Aid project, CN 5100750.

The Certification establishes that the referenced equipment is essential for synchronization with the existing systems the “City of Taos,” maintains. The equipment while proprietary in nature as identified in the Sole Source request must conform to the Federal-Aid Buy America requirements as it is part of a Federal-Aid highway project.

In accordance with 23 CFR 635.411, the request is approved specifically for this project. FHWA Division Office concurs in the use of the request for a duration of four years from September 25, 2018, thru September 3, 2022. After this date, a new request will need to be submitted and reviewed by this office.

Please contact Mr. Robert Bency at 505.820.2034 or robert.bency@dot.gov if you require any additional information or assistance.

Sincerely yours,

J. Don Martinez  
Division Administrator  

cc:  
Mr. Anthony Lujan, Deputy Secretary Operations  
Mr. Armando Armendariz, Division Director  
Mr. Paul Brasher, Acting District Engineer  
Ms. Sally Reeves, State Construction Engineer
September 11, 2018

Federal Highway Administration (FHWA)
C/O J. Don Martinez – Division Administrator
4001 Office Court, Suite 801
Santa Fe, NM 87507

Subject: NM 68 – Taos Urban (CN 5100750 – NM 68/US64) and City wide Federal Projects – Request for Sole Source and Proprietary Lighting Equipment

Dear Mr. Martinez,

The New Mexico Department of Transportation (NMDOT) is requesting approval of a certification. The certification would allow the City of Taos (COT) to specify a patented or proprietary product for street lighting materials for CN 5100750 and other federally funded projects citywide. The specific lighting products are listed in the attachment and the timeframe for this certification will be September 3, 2018 thru September 3, 2022.

The products will be on a National Highway System for projects within the COT.

In accordance with 23 CFR 635.411, the 2015 Stewardship and Oversight Agreement between the FHWA and the NMDOT and the supporting information provided by the COT in their request, the NMDOT requests FHWA approve this certification.

Thank you,

Armando M. Armendariz
Division Director Design and Construction

XC: Anthony Lujan, Deputy Secretary
Lawrence Lopez, P.E., North Region Design Manager
Denise Peralta, P.E., North Region PDE
Sally Reeves, P.E., Construction and Civil Rights Bureau
Eunice Cazares, P.E., District 5 CLE
Frank Lozano, FHWA Operations Engineer
Robert Bency, P.E., FHWA Area Engineer
City of Taos

Susana Martinez
Governor

Tom Church
Cabinet Secretary

Commissioners

Ronald Schmeits
Chairman
District 4

Dr. Kenneth White
Secretary
District 1

David Sepich
Commissioner
District 2

Keith Mortensen
Commissioner
District 3

Butch Mathews
Commissioner
District 5

Billy Moore
Commissioner
District 6
**Project Overview**

Control #: 8540520

Lead Agency: NMDOT

Project Type: RTH - Add Capacity/Widening (2)

Title: RTH 68 - Tom Lechen

From La Posta Rd to N. Cerritos Rd & N. Plaza

Total Construction 2018 Start

**Description**

Production Date: 06/27/2018

**Funding History**

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August 24, 2018

Armando Armendariz, P.E.
New Mexico Department of Transportation
Chief Engineer
1120 Cerrillos Road
Santa Fe, NM 87505

RE: Certification 23 CFR 635.411(a)(2) – Lighting Improvements, CN 5100750-NM 68/US 64

Dear Mr. Armendariz,

The New Mexico Department of Transportation is currently in the final stages of design for CN 5100750, NM 68 / LS 64 Project in Taos NM, form mile post 44.143 (NM 68) to 253.764 (US64). During the design phase, the Town of Taos identified a corridor that is in need of pedestrian lighting to increase safety from the intersection of Albright and NM 68 to the intersection of Quesnel/Camino de la Placita and NM 68.

In an effort to be consistent with the existing lighting fixtures already within the corridor, the Town of Taos has requested that similar fixtures be included in the project to provide continuity and maintainability of the equipment. The Town of Taos currently has a signal and lighting agreement with the NMDOT to maintain the existing lighting. The individuals who maintain the lighting system are trained on the current system, by having equipment that they are familiar with will reduce the risk of human error while troubleshooting, and will increase the overall safety of their employees.

The following is a list of the lighting equipment that will be utilized for the corridor within this project:

1. Pole – 16 ft. Aluminum pole with a 2.5’ mast arm. (Kim lighting Pole #HAS16-4188 / Kim lighting decorative base cover #HBC1 / Kim lighting mast arm #HA03L)
2. Luminaire – Kim lighting luminaire #SET 2E 35-60LSK (63.4 watt / 4913 lumens / B2-U0-G2 BUG rating/ Type III (short) IES Class)

As with any decorative lighting equipment, each manufacture maintains proprietary information regarding the operations of equipment. Because of this, one cannot easily interchange the equipment due to compatibility issues. By having the same equipment this allows for continuity and maintainability of the equipment. The Town of Taos is able to keep the look of the corridor consistent with what has been installed in a previous project.
An existing consolidated lighting agreement has been executed with the Town of Taos and the amended exhibit will incorporate the additional lighting fixtures within this corridor.

In accordance with 23 CFR 635.411(a)(2), that the above particular and propriety products is necessary for synchronization and continuity within the existing facilities. Synchronization is based on the function of the propriety product that is necessary for the satisfactory operation of the existing facility, and logistics the propriety product is needed for the overall consistent look of the corridor.

I, Antonio Jaramillo, former Division Director of Program Management and current ITS Engineering Manager for the New Mexico Department of Transportation, do hereby certify in accordance with the requirements of the 23 CFR 635.411(a)(2), that this propriety items are essential for the synchronization within the existing highway facilities.

I appreciate you taking your time for this consideration, if you should have any questions please feel free to contact me. I can be reached at 505.235.3245 or via email at Antonio.Jaramillo@state.nm.us.

Sincerely,

[Signature]

Antonio E. Jaramillo, P.E.
ITS Engineering Manager
ITS Bureau
August 27, 2018

Armando Armendariz, P.E.
New Mexico Department of Transportation
Chief Engineer
1120 Cerrillos Road
Santa Fe, NM 87505

RE: Certification 22 CFR 635.411(a)(2)
Lighting Improvements, CN 5100750-NM 68/US 64

Dear Mr. Armendariz,

The Town of Taos has been working closely for some time now with the New Mexico Department of Transportation regarding the rehabilitation and improvement of NM 68/US 64 through the entire length of our historic 300 year old community.

The highway in question serves as the town’s primary retail corridor, central business district, historic downtown and the commercial, recreation and entertainment hub for the region. It is also hosts the only connections for the public to the free regional public transit network, North Central Regional Transit District (NCRTD).

Therefore, the safe and more efficient movement of vehicular traffic through the length of our community is critical to the functioning of our entire region, as this state and federal highway is the single north-south corridor to carry traffic through the entire length of our town and county, and conveyance for tourists to all of our public lands, hotels, airport and ski resorts.

In bringing the highway into full ADA and federal highway traffic safety compliance the project is extending full sidewalks and creating bicycle lanes on both sides of the road for the first time, connecting the entire community and acting as the spine of both an existing and future expanded citywide and regional network of trails, sidewalks and bike lanes to connect schools, stores, parks and public transit.

These improvements are therefore critical to our community in joining the northern historic residential neighborhoods and public services (government, library, parks, museums, and concerts) with the southern retail commercial area (containing schools, family recreation,
movies, bowling alley, hotels). Due to the barriers created by Pueblo land-owned lands, mountains and other environmental features he NM 64/US 68 corridor is the only mechanism for creating a vehicular and non-vehicular north-south connection between the northern and southern portions of the town and county.

Unfortunately, until now cyclists and pedestrians were forced to walk or ride on the busy NM 64/US 68 highway in many sections (including the area that is the subject of this letter requesting special consideration for historic pedestrian lighting) due to a lack of sidewalks, bike lanes or shoulders, resulting in vehicle-pedestrian, vehicle-cyclist and cyclist-pedestrian conflicts.

These conflicts, combined with a lack of lighting for pedestrians and cyclists, has resulted in numerous injuries, hit and runs and even deaths at various points along the corridor.

There is a significant break in the streetscape on Paseo del Pueblo Sur (State 64/US 68) between the intersection at Albright Lane (grocery stores, high school, senior center, banks and county government and courts) and Camino de la Placita/Quesnel (the beginning of the historic downtown and the nationally and state recognized historic district), including some very dark, treed, undeveloped, dangerous and empty areas in need of redevelopment. This area is the principal “choke point” of NM 64/US 68 in Taos County, where the drive lanes begin to narrow entering the downtown and congestion begins to build, especially during lunchtime and commuting hours, making it a particularly hazardous area for pedestrians and cyclists. It is also important to the Town as both the gateway to our 300 year old Historic District and an area undergoing both vigorous preservation and redevelopment. There is a desire to make this section aesthetically appealing and different, identifying it as the gateway, as well as making it attractive and safe to shoppers, visitors and potential investors as a walkable, bikeable and safe area of the community.

Therefore, the placement of pedestrian oriented lighting along this portion of the corridor is critical to public safety, joining our northern and southern sections of the town, and encouraging the use of non-motorized alternatives in this most congested of the areas in the downtown.

For the town to function as a community from north to south and for the town and state to be successful in reducing traffic in this already vehicle intensive corridor that lacks any economically and environmentally realistic by-pass alternatives at this time or in the foreseeable future, it is critical to encourage local residents in particular to utilize non-motorized transportation alternatives to private vehicles and lighting in this area is critical to that success.

NM DoT is currently in the final stages of design for CN 5100750, NM 68 / US 64 Project in Taos NM, from mile post 44.143 (NM 68) to 253.764 (US64).

While we are grateful that NM DoT is considering the addition of pedestrian lighting for this important section of the corridor, this area is also part of a historic design overlay and is the entrance to the 300 year old state and nationally recognized Historic District. Therefore, the lighting must meet with the approval of the State Office of Historic Preservation and our Historic Preservation Commission, both of whom are charged with overseeing the US Department of the Interior standards for historic areas and design.
Therefore, in an effort to be consistent with the existing lighting fixtures already within the corridor, the downtown Historic District and the adjacent Taos County Complex, the Town of Taos has requested that fixtures similar in height, color, shape and design be included in the project to provide aesthetic continuity and historic compliance (all relevant reviewing bodies for historic compatibility have already approved the design and wattage of the requested equipment).

Additionally, the Town has signed a lighting maintenance agreement with NM DoT in order to assume responsibility for operating and maintaining the lighting to be installed. After consulting with NM DoT, the Town's lighting consultants and those of NM DoT it has been determined that by having uniformity of design and engineering, initial and annual training and maintenance would be significantly reduced for our staff.

Per the lighting agreement, the following is a list of the lighting equipment is being requested by the Town and has been agreed to by NM DoT for this project:

1. Pole – 16 ft. Aluminum pole with a 2.5' mast arm. (Kim lighting Pole #HAS16-4188 / Kim lighting decorative base cover #HBC1 / Kim lighting mast arm #HA03L)

2. Luminaire – Kim lighting luminaire #SET 2E 35-60L5K (63.4 watt / 4913 lumens / B2-U0-G2 BUG rating/ Type III (short) IES Class)


It is our understanding from our engineering consultants and public works department that, in accordance with 23 CFR 635.411(a)(2), the above specific propriety products, as identified in partnership and concurrence with NM DoT, have been identified by NM DoT and the town as necessary for synchronization and continuity within the existing facilities in the project corridor and the surrounding historic district. Synchronization is based on the function of the propriety product that is necessary for the satisfactory operation of the existing operations, and the specific propriety product(s) identified by the designers and engineers of the project are therefore necessitated by the relevant code to maintain the consistent appearance and functioning of both the existing and newly designed portions of the project throughout the relevant areas of the highway corridor.

The Town and its residents greatly appreciate the extensive cooperation that has been extended by NM DoT and FHWA in their addressing in a comprehensive manner the multi-faceted intermodal transportation and safety needs of this diverse tourism community, while simultaneously demonstrating a true sensitivity to achieving this in a manner that respects the historic design considerations of Taos, as one of the oldest continually inhabited communities in the America's.
I would like to thank you, the entire NM DoT staff, including Mr. Antonio Jaramillo, and Mr. Robert Bency at FHWA for taking the time to review and consider our input on this very important project.

Should you, Mr. Bency, or any of the other reviewing staff have any questions, please do not hesitate to contact me at the phone or email information listed below.

Sincerely,

Richard P. Bellis,
Town Manager/Acting Director of Planning, Community and Economic Development
Email: rbellis@taosgov.com
Office: (575) 751-2002
Cell: (575) 770-2605

cc: Mayor Daniel R. Barrone
    Town Council
    French Espinosa, Director of Public Works
    Antonio E. Jaramillo, P.E., NM DoT