

**NEW MEXICO
DEPARTMENT OF TRANSPORTATION**

TRANSPORTATION COMMISSION MEETING



November 19, 2020

Via Zoom

NEW MEXICO STATE TRANSPORTATION COMMISSION

Via Zoom

November 19, 2020

9:00 a.m.

Meeting Agenda

1. **Call to Order:** Walter G. Adams, Chairman
 - a. **Establish Quorum**
 - b. **Pledge of Allegiance**
2. **Approval of Agenda:** Walter G. Adams, Chairman
3. **Approval of Minutes:** Regular Meeting of September 17, 2020
4. **Introductions:** Walter G. Adams, Chairman
 - a. **Elected Officials**
5. **District Three Update:** Justin L. Gibson, P.E., District Three Engineer, NMDOT
6. **Finance Reports**
 - a. **NMFA Report:** Mark Lovato, Investment Manager, NMFA
 - b. **Approval of Budget Adjustment Request (BAR) No. 13 - Hope Grant:**
David Harris, Transit and Rail Division Director, NMDOT
 - c. **Approval of Budget Adjustment Request (BAR) No. 14 - CARES Act:**
David Harris, Transit and Rail Division Director, NMDOT
 - d. **Approval of Budget Adjustment Request (BAR) No. 15 - Hybrid Vehicles:**
David Harris, Transit and Rail Division Director, NMDOT
 - e. **Approval of Budget Adjustment Request (BAR) No. 16 - Emission Vehicle Program:** David Harris, Transit and Rail Division Director, NMDOT
 - f. **Approval of Budget Adjustment Request (BAR) No. 17 - Bus Facility Program:**
David Harris, Transit and Rail Division Director, NMDOT
 - g. **Approval of FY2020/2021 Financial Hardship Match Waiver Program Local Government Road Fund:** Clarissa Martinez, LGRF Manager, NMDOT
7. **Policy Reports:**
 - a. **Approval of Resolution No. 2020-04 (NOV) - Ratifying Emergency Use and Re-establishing the "Jal Route" as a Temporary, Negotiated, Alternative, Southern WIPP Route:** Rick Padilla, P.E., Executive Director of Highway Operations, NMDOT
 - b. **NMDOT Contractor Prequalification Rule, 18.27.5 NMAC:** Rick Padilla, P.E., Executive Director of Highway Operations, NMDOT

c. Approval of Proposed 2021 STC Meeting Schedule: Michael Sandoval, Cabinet Secretary, NMDOT

8. Secretary Report: Michael Sandoval, Cabinet Secretary, NMDOT

9. FHWA Report: J. Don Martinez, Division Administrator, FHWA

10. Adjournment

Tab 1-2

Agenda Items 1-2

1. Call to Order: Walter G. Adams, Chairman
 - a) Establish Quorum
 - b) Pledge of Allegiance
2. Approval of Agenda: Walter G. Adams, Chairman

Tab 3

Approval of Minutes

**NEW MEXICO STATE TRANSPORTATION COMMISSION
MEETING**

Video Conference Meeting

September 17, 2020

The New Mexico State Transportation Commission (STC or Commission) held a regular meeting via video conference on September 17, 2020. Chairman Adams called the meeting to order at 9:01 a.m. He asked for a roll call to establish a quorum. Jennifer Martinez, Office of the Secretary, New Mexico Department of Transportation (NMDOT), proceeded to call the roll. Commissioners Walter Adams, Jennifer Sandoval, Bruce Ellis, Hilma E. Chynoweth, Thomas C. Taylor, and Charles Lundstrom were present.

Approval of the STC Meeting Agenda

Chairman Adams asked for a motion to approve the STC meeting agenda; Commissioner Ellis made a motion to approve the agenda; Commissioner Lundstrom seconded; motion carried unanimously.

Approval of the STC Minutes

Chairman Adams asked for a motion to approve the July 16, 2020 STC regular teleconference meeting minutes; Commissioner Chynoweth made a motion to so approve; Commissioner Ellis seconded; motion carried unanimously.

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State Transportation Commissioners Present:

Jennifer Sandoval, Vice-Chair, District One
Bruce Ellis, Commissioner, District Two
Hilma E. Chynoweth District Three
Walter G. Adams, Chairman, District Four
Thomas C. Taylor, District Five
Charles Lundstrom, Secretary, District Six

NMDOT Staff Present:

Michael Sandoval, Cabinet Secretary
Justin Reese, Deputy Secretary
Kenneth B. Baca, General Counsel
NMDOT Staff

Elected Officials and Delegations Present:

The Honorable Patricia A. Lundstrom, New Mexico State Representative, District 9

Introduction

Chairman Adams welcomed attendees to the STC meeting and asked if anyone in attendance would like to speak.

District Six Update

Larry Maynard, P.E., District Six Engineer, NMDOT, provided an update regarding District Six, during which he discussed the US 491 - Carbon Coal Road project and other District activities and projects.

September 17, 2020

Finance Reports

New Mexico Finance Authority (NMFA) Report

Mark Lovato, Investment Manager, NMFA, provided an update regarding NMDOT's investment portfolio funds under NMFA management and NMDOT/NMFA's outstanding bond debt service as of August 31, 2020. As of that date, NMFA was holding approximately \$30.5 million for debt service, including a \$14.7 million set aside received in August. Currently, there is approximately \$6.7 million in the project account and approximately \$230,000 in the arbitrage rebate account. The balance in NMDOT's taxable line of credit at Wells Fargo for the BNSF requirement is \$50 million. The line of credit that commenced in July 2013 will expire in June 2022. To date, NMDOT has paid a commitment fee of \$663,514 toward the line of credit. NMDOT's current outstanding debt service is \$881,060. A payment of approximately \$31 million is due on December 15, 2020, which includes \$9.470 million in principal and \$21.5 in interest. NMDOT's Preliminary Official Statement (POS) for its 2020A bond series will be presented to NMFA's board for approval next week and, at that point, it will be posted.

Secretary Sandoval discussed the refinancing of certain existing NMDOT fixed rate bonds. As a result of that process, NMDOT will be able to save approximately \$7 million to \$7.5 million because interest rates are presently at an all time low. Everything appears to be on schedule to complete the transaction in the next few months. NMDOT will see those savings this year and next year. Upon completion of the transaction, the Secretary will provide a status report to the STC.

Secretary Sandoval also reported that NMDOT executive staff recently met with members of the Transportation Infrastructure Revenue Subcommittee and informed them about (1) the

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aforementioned bond refinancing transaction; and (2) that NMDOT will be pursuing a bill in the upcoming legislative session to try to amend the authorized date of July 1, 2022 to begin using the \$75 million bonding authority granted in 2020 Special Legislative Session Senate Bill 5. Specifically, NMDOT will seek to amend the date to April 2021. In addition, NMDOT will try to use remaining GRIP bonding, which is approximately \$234 million.

Approval of FY21 Budget Adjustment Request (BAR) No. 10 - Capital Purchases

David Harris, Transit and Rail Director, NMDOT, presented and requested approval of FY21 BAR No. 10 - Capital Purchases. The BAR is required to increase the budget authority in Grants (Category 400) for the Transit Bureau by \$600,000. The funds will provide local match assistance with transit capital purchases and will be distributed to local public transportation operators.

Chairman Adams asked for a motion to approve FY21 BAR No. 10 - Capital Purchases; Commissioner Lundstrom made a motion to so approve; Commissioner Sandoval seconded; motion carried unanimously.

Approval of FY21 BAR No. 11 - Build Grant

Tamara Haas, Capital Programs and Investments Division Director, NMDOT, presented and requested approval of FY21 BAR No. 11 - P565 - Build Grant. The BAR is required to establish budget authority for the Project Design and Construction Program in Contractual Services (Category 300) by \$12,500,000. NMDOT received an allocation of BUILD Grant funds for the US 285 safety and resilience project in southeast New Mexico from the Texas state-line north to Loving. In order to receive the allocation of federal funds, NMDOT needed to execute a

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BUILD Grant Agreement. The Grant Agreement was executed on August 4, 2020. The BUILD Grant requires a 20% non-federal match, which has already been funded with state revenues.

Chairman Adams asked for a motion to approve FY21 BAR No. 11 - Build Grant; Commissioner Ellis made a motion to so approve; Commissioner Lundstrom seconded; motion carried unanimously.

Approval of FY21 BAR No. 12 - Federal Redistribution

Mallery Manzanares, Budget Director and Acting Administrative Services Director (ASD), NMDOT, presented and requested approval of FY21 BAR No. 12 - Federal Redistribution. The BAR is required to establish budget authority for the FHWA program. It will increase Contractual Services (Category 300) by \$75,065,175, \$59.3 million of which is federal funds and \$14.8 million is the state match requirement. FHWA awarded NMDOT with a redistribution obligation increase in FFY20.

Chairman Adams asked for a motion to approve FY21 BAR No. 12 - Federal Redistribution; Commissioner Chynoweth made a motion to so approve; Commissioner Ellis seconded; motion carried unanimously.

NMDOT FY22 Budget (Appropriation) Request

Mallery Manzanares, Budget Director and Acting Administrative Services Director (ASD), NMDOT, and Laura Bianchini, Ph.D., Chief Economist, NMDOT, presented the NMDOT FY22 Budget (Appropriation) Request. Dr. Bianchini discussed the July 2020 Road Fund Forecast and State Road Fund revenues. Mrs. Manzanares presented and requested approval of the NMDOT FY22 appropriation request. The FY22 annual appropriation request totals \$958.5 million, a \$31.8

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million reduction from the approved FY21 operating budget. The request is supported by \$472.7 million from State Road Fund revenues: \$75.3 from restricted fund revenues, \$6.4 million from other state agencies, and \$404.1 million from federal sources. The request includes a \$21.5 million decrease to the Project Design and Construction Program, a \$6.6 million decrease to the Highway Operations Program, a \$1.1 decrease to the Business Support Program, and a \$2.5 million decrease to the Modal Program. Mrs. Manzanares outlined the major differences between the FY21 and FY22 budget requests, and the particulars of each NMDOT program.

Chairman Adams asked for a motion to approve the NMDOT FY22 Budget (Appropriation) Request; Commissioner Ellis made a motion to so approve; Commissioner Lundstrom seconded; motion carried unanimously.

Updated Letting Schedule

David Quintana, Chief Engineer, NMDOT, reported regarding NMDOT's FY19 - FY20 baseline letting performance and updated letting schedule. He discussed total project costs by District and lead agency, quarterly bid letting and amounts, and the project count.

Policy Reports

Approval of Request for Vacation and Abandonment of Construction Easement (CME-5) Located on the West Side of University Blvd. between Sunport Blvd. and Woodward Road, District 3, Albuquerque

Rick Padilla, P.E., Executive Director of Highway Operations, NMDOT, presented and requested approval of the request for vacation and abandonment of CME-5 located on the West

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Side of University Blvd. between Sunport Blvd. and Woodward Road, District 3, Albuquerque. NMDOT, through its Property Management Unit (PMU), received a request from Homewood Suites c/o Waramaug Albuquerque W, LLC (Homewood Suites) to abandon a portion of NMDOT right of way previously acquired as a CME for Project No. A300111. Homewood Suites requested the abandonment after NMDOT informed Homewood Suites that its parking lot was an illegal encroachment. The City of Albuquerque (City), under the mistaken belief it owned the property, conveyed the parcel to Homewood Suites for fair market value, prior to NMDOT's notice of encroachment. The City subsequently corrected the mistake and reimbursed Homewood Suites the amount paid for the parcel. Upon receipt of the request for abandonment, the PMU requested an internal review in accordance with the NMDOT Right of Way Handbook and received no adverse comments. District 3 and the NMDOT Chief Engineer, David Quintana, have also approved the request for vacation and abandonment of CME-5.

Chairman Adams asked for a motion to approve the request for vacation and abandonment of CME-5 located on the West Side of University Blvd. between Sunport Blvd. and Woodward Road, District 3, Albuquerque; Commissioner Chynoweth made a motion to so approve; Commissioner Ellis seconded; motion carried unanimously.

State of the System Presentation

Rick Padilla, P.E., Executive Director of Highway Operations, NMDOT, gave a report on the state of the system, during which he discussed roadway assets; snow and ice removal activity; the annual pavement preservation program; highway lane miles chip sealed and related costs; accomplishments; litter operations; wildland fire and suppression activity and costs; and COVID-19 operations expenditures from March - August 2020.

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Rio Metro Regional Transit District (RMRTD) Annual Report Regarding New Mexico Rail Runner Express (NMRX)

Tony Sylvester, Planning and Development Manager, RMRTD, presented the NMRX Annual Report regarding NMRX management. The Memorandum of Agreement between NMDOT and RMRTD regarding NMRX management, funding and operation requires RMRTD to provide a report to the STC every year. The report includes information on the NMRX annual operating and capital budgets, annual service plan, the five year capital maintenance/capital improvement plan, NMRX ridership, and performance targets. Mr. Sylvester also discussed two primary events that occurred this year: (1) completion and implementation of the federally mandated positive train control system; and (2) completion of capital and deferred maintenance projects during the suspension of NMRX service.

FY20 NMDOT Office of Inspector General (OIG) Annual Report

Jeff Canney, Inspector General, NMDOT, presented the FY20 NMDOT OIG Annual Report. The report summarizes the objectives and accomplishments of the OIG for the fiscal year ended June 30, 2020. It includes information presented by the functional areas of the OIG, including construction audits, internal and external audits, investigations and damage claims. Commission Policy 30, *Office of Inspector General* (CP 30), serves as the OIG charter, stating the purpose, authority and responsibilities of the OIG. CP 30 was last reviewed and updated at the STC meeting on August 15, 2019. The OIG vision is to be the trusted provider of professional investigative and audit services. The OIG mission is to conduct professional investigations and performance audits to assess risks, improve operations and increase accountability in order to add value to NMDOT.

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NMDOT Annual Report to State Auditor Regarding Regional Transit Districts

David Harris, Transit and Rail Director, NMDOT, presented NMDOT's Annual Report to the State Auditor regarding Regional Transit Districts. He explained that under the provisions of Section 73-25-15(B), NMSA 1978 and Commission Policy 90, *Certification of Regional Transit District (RTD)*, the STC is required to file an annual report with the State Auditor concerning the activities of all active Regional Transit Districts. The report details how many districts have been created, describes their boundaries and specifies the regional transit systems that are being provided and how they are being funded. The report is usually presented to the STC sometime between May and July, but this year it is a bit late due to COVID. This report is for FY 2019. It was sent to the State Auditor in August this year.

2020 State-Tribal Collaboration Act - Agency Report

This agenda item was tabled until the November 2020 STC meeting.

Public Comment

The Honorable Patricia Lundstrom, New Mexico State Representative, District 9, thanked the STC and NMDOT. She briefly commented on the US 491 - Carbon Coal Road project, which is a very important economic development project to the District. She expressed her appreciation for the opportunity to get a preliminary look at NMDOT's budget information, as presented to the STC. It gives her an idea of what to expect when NMDOT comes before the Legislative Finance Committee later this year.

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Secretary's Report

Secretary Sandoval gave a brief update to the STC. He reported that over the next 12 months, NMDOT will have approximately \$300 million of construction projects, which is good for both the State and NMDOT. NMDOT received an appropriation in the amount of \$135 million from the Legislature this year, plus \$75 million, including the match from the redistribution, and approximately \$100 million from 2019 funding for projects. He expressed his appreciation to the Governor and the Legislature for the funding. He briefly discussed NMDOT's vacancy rate, hiring procedures and budget status. NMDOT is hopeful that Congress and the White House will agree on a stimulus package that will provide additional funds to NMDOT to make up for lost revenues and related budget shortfalls due to COVID. Federal FAST Act highway reauthorization funding expires on September 30, 2020. It is likely a continuing resolution will be passed to continue federal funding. The Secretary also discussed NMDOT's proposed pre-qualification rule change and an upcoming STC workshop on bonding.

Chairman Adams thanked NMDOT staff and the District Engineers for all their work during the pandemic.

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Adjournment

Chairman Adams asked for a motion to adjourn the regular meeting at 12:04 p.m.; Commissioner Lundstrom made a motion to adjourn the regular meeting; Commissioner Sandoval seconded. Motion carried unanimously.

Chairman

Walter G. Adams

Secretary

Charles Lundstrom

September 17, 2020

Tab 4

Introductions

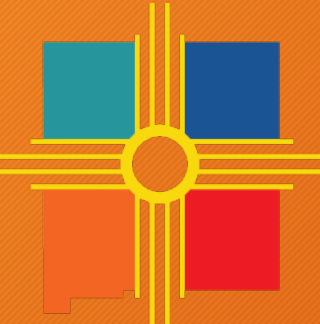
Agenda Items 4

4. Introductions and Welcoming Remarks: Walter G. Adams, Chairman

- a. Elected Officials**
- b. Commission Members**
- c. NMDOT Executive Staff**

Tab 5

District Three Update



New Mexico DEPARTMENT OF
TRANSPORTATION
MOBILITY FOR EVERYONE



NMDOT District 3 Update



Justin Gibson P.E.
November 19, 2020

2020 Projects Completed

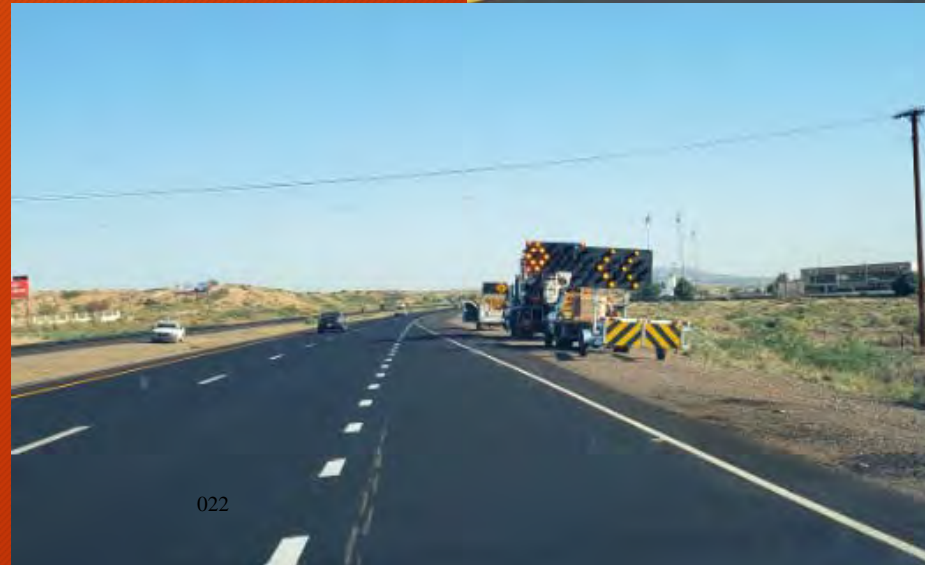
- I-25 Widening and Reconstruction
 - Broadway/I-25 Interchange North
 - MM 215.7 to 219.7
 - \$8,541,750
 - Completed Summer 2020



New Mexico DEPARTMENT OF
TRANSPORTATION
MOBILITY FOR EVERYONE

2020 Projects Completed

- I-25 Roadway Rehabilitation
 - I-25 Camino Del Llano Interchange North
 - MM 191.0 to 195.2
 - \$9,092,435
 - Completed Summer 2020



New Mexico DEPARTMENT OF
TRANSPORTATION
MOBILITY FOR EVERYONE

2020 Projects Completed

- NM 14 Roadway Rehabilitation
 - Cedar Crest to San Antonito/Sandia Park
 - MM 4.0 to 5.8
 - \$3,985,394
 - Completed Fall 2020



New Mexico DEPARTMENT OF
TRANSPORTATION
MOBILITY FOR EVERYONE

2020 Projects Ongoing

- US 550 in Bernalillo / Santa Ana / Rio Rancho
 - Reconstruction
 - NM 313 to NM 528
 - \$ 25,285,167
- NM 6 over BNSF railway
 - Bridge Rehabilitation
 - MM 27
 - \$ 3,977,514



2020 Projects Ongoing

- US 6 Bridge over the Rio Grande in Los Lunas
 - Bridge Reconstruction
 - \$ 18,755,031
- I-40 Zuzax Interchange
 - Bridge Reconstruction
 - \$ 8,740,698



Upcoming Projects

- NM 314 / Courthouse Road in Los Lunas
 - Intersection Reconstruction
- I-25 MM 196.4 to 198.7
 - Roadway Preservation - Full Depth Reclamation
- I-40 MM 158.3 to 159.0
 - Bridge Rehabilitation - Epoxy Overlays
- ITS Deployment District wide



Pavement Preservation & Contract Maintenance

FY 20 Update

FY20 Project Location	Budget
Construction Augmentation	\$500,000.00
I-25 Frontage Roads: Crack Seal (Comanche to PDN)	\$349,796.09
I-40/I-25 Interchange: Mill/Inlay.	\$7,388,333.00
I-40: Crack Seal (MP 132-143).	\$185,203.91
NM 313: Fencing Project	\$80,055.04
NM 313: Mill/Inlay (NM 473 to US 550).	\$1,058,303.18
NM 314: HIR/HMA Overlay (NM 6 to NM 45).	\$1,467,420.61
NM 333: Crack Seal (MP 6-16.3)	\$232,938.47
Tramway (NM 556) overlay (from I40 to Montgomery)	\$612,138.88
NM 45: Mill/Inlay (St. Joseph to Central)	\$1,851,324.36
NM 528: Crack Seal (MP 9.5-13.5)	\$281,046.87
US 60: OGFC Overlay (I-25 to NM 47).	\$801,772.59
Freedom Way	\$275,000.00
NM 45 Coors from Eduardo to Barcelona	\$1,583,333.00
Total	\$16,666,666.00

FY 21 Update

FY21 Project Location	Budget
I40 (MP 143-148) east of Rio Puerco to Atrisco Vista	\$2,019,000.00
I25 (MP 223-225) Gibson to Lomas	\$3,009,000.00
I25 (MP 229-234) South of Jefferson to Tramway	\$5,890,000.00
I25 (MP 239-243) Bernalillo area	\$897,000.00
I25 (MP 243-257) (North Bernalillo to Budaghers)	\$2,000,000.00
NM 528 (MP 6 -7) 19th to Southern	\$1,736,000.00
NM 337 (MP 17.0 -24.0)	\$1,919,000.00
NM 45 (MP 7.0- 3.2) Don Felipe to El Nido	\$500,000.00
NM 116 (MP 9-16)	\$1,030,000.00
Construction Augmentation District Wide	\$1,000,000.00
Total	\$20,000,000.00



Thank you, NMDOT District 3



Tab 6a

NMFA Report

Commission Brief

SUBJECT: NMFA Report

**PRESENTER: Mark Lovato, Managing Director
Investments, NMFA**

BACKGROUND:

ACTION: No Action

New Mexico Finance Authority report to
State Transportation Commission

Agenda for November 19, 2020

1. NMDOT Combined Investment Summary ending October 31, 2020
 2. NMDOT/NMFA Debt Service outlook to December 15, 2020 payment as of October 31, 2020
-

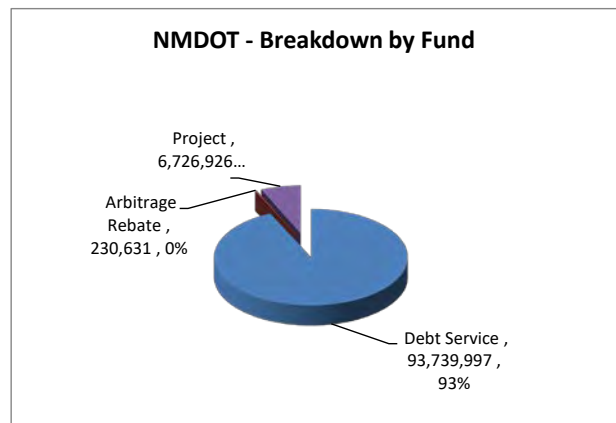
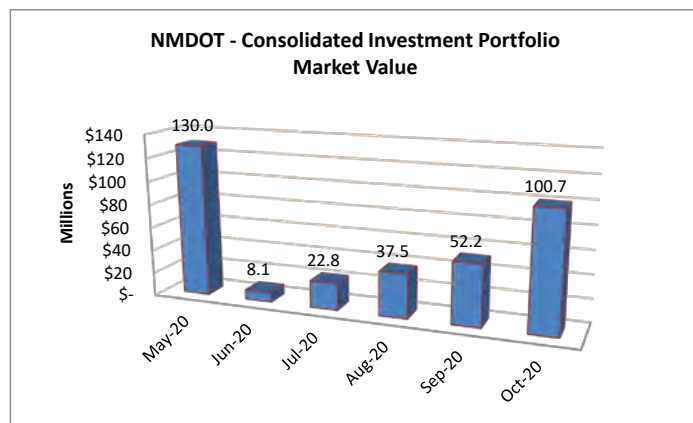


INVESTMENT OF NM DEPT OF TRANSPORTATION BONDS NMDOT - BOND SERIES PORTFOLIO SUMMARIES

October 31, 2020

NMDOT BOND SERIES DEBT SERVICE - Portfolio Summary							
<u>Bond Series</u>	<u>Beginning Balance</u>	<u>Bond Payment Set Aside Pmt</u>	<u>Interest</u>	<u>Ending Balance</u>	<u>Next Bond DS Pmt 12/15/2020</u>	<u>Final Maturity</u>	<u>Call Date</u>
2010 A1 Senior	767,793.37	253,550.00	21.00	1,021,364.37	1,521,300.00	12/15/2024	12/15/2020
2010 A2 Sub	4,532,077.59	1,496,583.34	15.31	6,028,676.24	8,979,500.00	12/15/2021	12/15/2020
2010 B Senior	27,471,270.69	8,879,763.80	188.96	36,351,223.45	3,206,125.00	6/15/2024	6/15/2020
2012 Senior	3,357,691.24	1,090,431.82	23.07	4,448,146.13	3,514,875.00	6/15/2026	6/15/2022
2014 A Sub	1,603,734.82	515,113.64	11.04	2,118,859.50	1,458,125.00	6/15/2032	6/15/2024
2014 B1 Senior	863,882.71	279,000.00	5.94	1,142,888.65	1,534,500.00	6/15/2027	6/15/2024
2014 B2 Sub	648,725.24	212,318.18	4.45	861,047.87	337,750.00	6/15/2027	6/15/2024
2018 A Sub	5,993,205.60	1,957,977.28	41.14	7,951,224.02	10,453,875.00	6/15/2030	6/15/2028
2020 A Senior	-	33,816,566.46	-	33,816,566.46		6/15/2025	
TOTAL	45,238,381.26	48,501,304.52	310.91	93,739,996.69	31,006,050.00		

NMDOT BOND SERIES PROJECT/OTHER FUNDS - Portfolio Summary				
<u>Bond Series</u>	<u>Beginning Balance</u>	<u>Draws - Payments</u>	<u>Interest</u>	<u>Ending Balance</u>
2006 A Arbitrage	230,628.89		1.87	230,630.76
2014 A Project	6,726,871.04	-	54.49	6,726,925.53
TOTAL	6,957,499.93	-	56.36	6,957,556.29



NMDOT BOND SERIES LINE OF CREDIT - Portfolio Summary					
<u>Line of Credit</u>	<u>Beginning Balance</u>	<u>Draws - Contributions</u>	<u>Commitment Fee</u>	<u>Ending Balance</u>	<u>Agreement Terms</u>
Wells Fargo	50,000,000.00			50,000,000.00	BNSF Line expires 6/30/2022 LOC started July 2013
Payments	-	-	-	-	Used : 1-mo LIBOR + .77% Unused : .19% Commitment Fees Paid \$687,791
TOTAL	50,000,000.00	-	-	50,000,000.00	

NMDOT/NMFA OUTSTANDING BOND DEBT SERVICE

For Period: 1st half Fiscal Year 2021

Bond Series	Current Amount Outstanding	Final Maturity Date	Principal Debt Service Due 12/15/2020	Interest Debt Service Due 12/15/2020	Total Debt Service Due 12/15/2020	Debt Service held as of 10/31/2020	Shortage / Overage as of 10/31/2020
2010 A-1 Sr	24,810,000	12/15/24	925,000	596,300	1,521,300	1,021,376	(499,924)
2010 A-2 Sub	17,580,000	12/15/21	8,545,000	434,500	8,979,500	6,028,665	(2,950,835)
2010 B Sr	91,265,000	6/15/24		3,206,125	3,206,125	36,351,223	33,145,098
2012 Sr	159,055,000	6/15/26		3,514,875	3,514,875	4,448,146	933,271
2014 A Sub	58,325,000	6/15/32		1,458,125	1,458,125	2,118,860	660,735
2014 B-1 Sr	61,380,000	6/15/27		1,534,500	1,534,500	1,142,889	(391,611)
2014 B-2 Sub	13,510,000	6/15/27		337,750	337,750	861,048	523,298
2018 A Sub	418,155,000	6/15/30		10,453,875	10,453,875	7,951,224	(2,502,651)
2020 A Sr	63,180,000	6/15/25		-	-	33,816,566	33,816,566
	907,260,000		9,470,000	21,536,050	31,006,050	93,739,997	62,733,947
Senior Lien	399,690,000		925,000	8,851,800	9,776,800		
Subordinate Lien	507,570,000		8,545,000	12,684,250	21,229,250		
Total	907,260,000						

Tab 6b

**Approval of Budget
Adjustment
Request (BAR) No.
13 - Hope Grant**

Commission Brief

SUBJECT:

FY21 BAR#13 P565- Modal

PRESENTER: David Harris, Transit and Rail Division Director

BACKGROUND:

An FY21 BAR is requested to increase the budget authority in Contractual Services category (CAT 300) for the Federal Transit Bureau by \$210,000. These funds will be used for a planning study to coordinate transit service and improve mobility from rural areas and tribal reservations in the northwestern part of the state to jobs and healthcare facilities in Albuquerque. These funds are 100% Federal reimbursable, by the Federal Transit Administration through the Helping Obtain Prosperity for Everyone (HOPE) Program.

ACTION: Request BAR Approval

Tab 6c

**Approval of Budget
Adjustment
Request (BAR) No.
14 - CARES Act**

Commission Brief

SUBJECT:

FY21 BAR#14 P565- Modal

PRESENTER: David Harris, Transit and Rail Division Director

BACKGROUND:

An FY21 BAR is requested to increase the budget authority in the Grants category (CAT 400) for the Federal Transit Bureau by \$325,812. The Department is administering these funds on behalf of the North Central Regional Transit District (NCRTD). These funds will be used to pay for eligible local small urban public transportation administrative and operating expense. These funds are 100% Federal reimbursable by the Federal Transit Administration through the Coronavirus Aid Relief and Economic Security Act (CARES).

ACTION: Request BAR Approval

Tab 6d
Approval of Budget
Adjustment
Request (BAR) No.
15 - Hybrid Vehicles

Commission Brief

SUBJECT:

FY21 BAR#15 P565- Modal

PRESENTER: David Harris, Transit and Rail Division Director

BACKGROUND:

An FY21 BAR is requested to increase the budget authority in the Grants Category (CAT 400) for the Federal Transit Bureau by \$1,370,000. The Department is administering these funds on behalf of the South Central Regional Transit District (SCRTD), which will use the funding to purchase two (2) hybrid transit buses. These funds are 100% Federal reimbursable, by the Federal Transit Administration (Section 5307 Program).

ACTION: Request BAR Approval

Tab 6e

**Approval of Budget
Adjustment
Request (BAR) No.
16 - Emission Vehicle
Program**

Commission Brief

SUBJECT:

FY21 BAR#16 P565- Modal

PRESENTER: David Harris, Transit and Rail Division Director

BACKGROUND:

An FY21 BAR is requested to increase the budget authority in Federal Grants category (CAT 400) for the Federal Transit Bureau by \$2,920,000. The Department is administering these funds on behalf of the North Central Regional Transit District (NCRTD), which will use the funding to install charging stations and purchase electric buses. These funds are 100% Federal reimbursable, by Federal Transit Administration through the Low or No Emission Vehicle Program.

ACTION: Request BAR Approval

Tab 6f
Approval of Budget
Adjustment
Request (BAR) No.
17 - Bus Facility
Program

Commission Brief

SUBJECT:

FY21 BAR#17 P565- Modal

PRESENTER: David Harris, Transit and Rail Division Director

BACKGROUND:

An FY21 BAR is requested to increase the budget authority in the Grants category (CAT 400) for the Federal Transit Bureau by \$5,251,090. The Department is administering these funds on behalf of the North Central Regional Transit District (NCRTD), which will be used to design and construct a new operations and maintenance facility in Taos. These funds are 100% Federal reimbursable, by the Federal Transit Administration through the Bus Facilities Program.

ACTION: Request BAR Approval

Tab 6g
Approval of
FY20/21 Financial
Hardship Match
Waiver Program
Local Government
Transportation
Project Fund

FY21 LGRF Match Waiver Applicants Selected

District	Entity Name	Project #	Program	NMDOT waiver approved	Sum of STC Approved amount
1	TOWN OF MESILLA	L100459	COOP	Yes	\$10,000.00
	VILLAGE OF SANTA CLARA	L100460	COOP	Yes	\$10,000.00
	VILLAGE OF COLUMBUS	L100451	COOP	Yes	\$10,000.00
	CITY OF ANTHONY	L100449	COOP	Yes	\$10,000.00
	SIERRA COUNTY	L100482	CAP	Yes	\$42,183.00
		L100477	SBR	Yes	\$40,818.00
1 Total					\$123,001.00
2	VILLAGE OF CAPITAN	L200518	MAP	Yes	\$30,000.00
	CITY OF PORTALES	L200515	MAP	Yes	\$36,667.00
2 Total					\$66,667.00
4	GUADALUPE COUNTY	L400448	COOP	Yes	\$31,079.00
		L400481	CAP	Yes	\$51,210.00
	MORA COUNTY	L400493	SBR	Yes	\$26,195.00
		L400479	CAP	Yes	\$24,678.00
	QUAY COUNTY	L400485	CAP	Yes	\$71,427.00
		L400492	COOP	Yes	\$23,142.00
	TOWN OF SPRINGER	L400505	COOP	Yes	\$7,362.00
	UNION COUNTY	L400498	SBR	Yes	\$51,827.00
		L400484	CAP	Yes	\$75,000.00
	VILLAGE OF ANGEL FIRE	L400506	COOP	Yes	\$5,889.00
	VILLAGE OF MAXWELL	L400528	MAP	Yes	\$75,000.00
	CITY OF SANTA ROSA	L400502	COOP	Yes	\$12,841.00
	SAN MIGUEL COUNTY	L400483	CAP	Yes	\$38,169.00
		L400497	SBR	Yes	\$32,275.00
	VILLAGE OF CIMARRON	L400507	COOP	Yes	\$9,816.00
	CITY OF LAS VEGAS	L400500	COOP	Yes	\$29,447.00
	VILLAGE OF MOSQUERO	L400511	COOP	Yes	\$9,816.00
4 Total					\$575,173.00
5	TOWN OF ESTANCIA	L500397	COOP	Yes	\$16,667.00
5 Total					\$16,667.00
6	VILLAGE OF MILAN	L600188	MAP	Yes	\$92,880.00
	CATRON COUNTY	L600177	SBR	Yes	\$64,592.00
6 Total					\$157,472.00
Grand Total					\$938,980.00

Tab 7a

Approval of Resolution
2020-04 (NOV) -
Ratifying Emergency
Use and
Re-establishing the
"Jal Route" as a
Temporary,
Negotiated,
Alternative, Southern
WIPP Route

Commission Brief

SUBJECT: Ratifying emergency use and re-establishing the “Jal Route” as a temporary, negotiated, alternate, southern WIPP route for use through December 31, 2021.

PRESENTER: Rick Padilla, Executive Director for Highway Operations

BACKGROUND: On September 24, 2020, the DOE-CBFO requested emergency use of the temporary, negotiated alternate Southern WIPP route (the “Jal Route”) last authorized by the STC in Resolution No. 2019-06 (NOV). The DOE-CBFO also requested use of the Jal Route into 2021.

On October 8, 2020, the NMDOT approved emergency use of the Jal Route by the DOE-CBFO for the month of October 2020.

As justification for continued use of the Jal Route instead of the existing, designated Southern WIPP route (US 285 to US 62/180), DOE-CBFO identifies on-going safety concerns related to portions of US 285 as well as anticipated impacts, including lane shifts and detours, during a planned, multi-year sink-hole remediation project south of Carlsbad, adjacent to the Southern Route.

NMDOT requests the STC to ratify the decision to allow the DOE-CBFO’s October use and to re-establish the Jal Route for use as a temporary negotiated alternate to the designated Southern Route until December 31, 2021, unless terminated earlier by notice.

ACTION: Adopt STC Resolution No. 2020-04 (NOV), ratifying the NMDOT emergency decision on October 8, 2020, to approve DOE-CBFO use of the Jal Route for October 2020, and re-establishing the Jal Route as a temporary, negotiated alternate Southern WIPP route for use by DOE-CBFO until December 31, 2021, unless terminated earlier by notice by notice.

STATE OF NEW MEXICO

STATE TRANSPORTATION COMMISSION

RESOLUTION NO. 2020-04 (NOV)

**RATIFYING EMERGENCY USE AND RE-ESTABLISHING THE “JAL ROUTE” AS
A TEMPORARY, NEGOTIATED, ALTERNATE, SOUTHERN WIPP ROUTE**

WHEREAS, the Department of Energy – Carlsbad Field Office (DOE-CBFO) requested by letter dated September 24, 2020, (*Attachment 1*) emergency use of the temporary, negotiated, alternate southern Waste Isolation Pilot Plant (WIPP) route, (the “Jal Route”) for use by the DOE-CBFO for pending WIPP shipments loaded and ready to depart during the month of October 2020;

WHEREAS, On October 8, 2020, in response to that request NMDOT approved DOE-CBFO’s urgent use of the Jal Route based on the emergency presented and the STC’s prior authorization for the route as being in the best interest of the safety of the State of New Mexico’s traveling public;

WHEREAS, DOE-CBFO also requests the STC allow continued use of the Jal Route for transport of highway route controlled quantity shipments of radioactive materials bound for WIPP near Carlsbad, New Mexico, as an alternate to use of the designated Southern WIPP route (“US 285”);

WHEREAS, the DOE-CBFO requests continued use of the Jal Route beginning November 19, 2020, and extending to December 31, 2021;

WHEREAS, most recently, State Transportation Commission (STC) Resolution No. 2019-06 (NOV) authorized temporary use of the Jal Route, which is described as follows:

Beginning at the NM/TX border, proceeding west on NM 176 toward Eunice and to the junction of NM 18, then traveling south on NM 18, toward Jal to the junction with NM 128, then continuing west on NM 128 to the south access WIPP road;
(*Attachment 2, map*)

WHEREAS, as justification for continued use of the Jal Route for WIPP shipments, the DOE-CBFO identifies on-going safety concerns related to portions of US 285 as well as anticipated impacts from a planned, multi-year remediation of a sink hole south of Carlsbad, including road construction lane-shifts and detours impacting the Southern Route;

WHEREAS, the STC and DOE-CBFO may agree to temporary use of an alternative route within New Mexico to allow the shipments access to the WIPP pursuant to the controlling federal rules under the Code of Federal Regulations (CFR) Title 49, Part 397, and in accordance with the provisions of the Western Governors’ Association (WGA) WIPP Transportation Safety Program Implementation Guide (WIPP-PIG);

WHEREAS, CFR Title 49, Section 397.101 permits DOE-CBFO to operate over a route, other than a designated, preferred route, where deviation is necessary due to emergency conditions making the designated route unsafe or impossible, and where such deviation complies with criteria minimizing radiological risk and mileage based upon an appropriate route analysis determining the level of radiological risk;

WHEREAS, WIPP-PIG, Section 12, “Highway Routing of WIPP Shipments” provides that the state routing agency may determine an alternate WIPP shipment route through a negotiation process with DOE-CBFO, where such negotiated alternate route takes into account the overall risk to the public, segment lengths, vehicle speeds, population, and other relevant factors and specific conditions;

WHEREAS, in accordance with CFR Title 49, Section 397.101 and the WGA WIPP-PIG, NMDOT performed a route analysis of potential alternate southern routes, which currently rates the Jal Route as the preferred temporary, alternate southern route into the WIPP facility;

WHEREAS, the Radioactive and Hazardous Materials Act, NMSA 1978, §§ 74-4A-1 through 74-4A-14 (1991), provides exclusive authority to the STC to designate highway routes for the transportation of radioactive material;

WHEREAS, the STC acknowledges DOE-CBFO’s relevant special expertise in this matter as well as its commitment to provide this technical, analytic assistance as part of its obligations to the State of New Mexico under the Memorandum of Agreement between the Western Governors’ Association and the U.S. Department of Energy concerning regional protocol for the safe transportation of transuranics to and from the Carlsbad WIPP site;

WHEREAS, based on the DOE-CBFO assessment that the need for an alternate southern route is both urgent and temporary, NMDOT concurs with DOE-CBFO that continued, temporary use of the Jal Route is preferable and best addresses the urgent need for an alternate southern WIPP route;

WHEREAS, as part of the negotiated alternate route agreement, DOE-CBFO will continue to comply with any conditions related to the use of the temporary route as may be required by the NMDOT, New Mexico State Police, Commercial Vehicle Enforcement Bureau (NMSP-CVE), New Mexico Motor Transportation Police (MTP), and as further identified by the New Mexico Radioactive Waste Consultation Task Force (“Task Force”); and

WHEREAS, in accordance with WIPP-PIG, Section 12, continued use of the temporary, negotiated alternate route is effective upon notice to DOE-CBFO of the STC resolution approving the re-establishment and term of use of the Jal Route.

NOW, THEREFORE, IT IS RESOLVED THAT THE NEW MEXICO STATE TRANSPORTATION COMMISSION ratifies the NMDOT decision, made on October 8, 2020, to allow DOE-CBFO use of the Jal Route for the month of October 2020, as that decision was made in the best interest of the safety of the State of New Mexico’s traveling public;

IT IS FURTHER RESOLVED THAT THE NEW MEXICO STATE TRANSPORTATION COMMISSION agrees to re-establish the Jal Route as a temporary, negotiated, alternate southern WIPP route;

IT IS FURTHER RESOLVED, that the authorization to use Jal Route is immediately effective and shall terminate on December 31, 2021, unless terminated earlier by notice; and

IT IS FURTHER RESOLVED, that the use of the Jal Route is conditioned on DOE-CBFO performance of any and all arrangements related to the transportation of transuranics along the route as required by the NMDOT, NMSP-CVE, MTP, or by the Task Force.

ADOPTED BY THE STATE TRANSPORTATION COMMISSION IN OPEN MEETING ON NOVEMBER 19, 2020.

Walter Adams, Chair
District 4

Jennifer Sandoval, Vice-Chair
District 1

Charles Lundstrom, Secretary
District 6

Bruce Ellis, Commissioner
District 2

Hilma Chynoweth, Commissioner
District 3

Thomas C. Taylor, Commissioner
District 5



Department of Energy

Carlsbad Field Office
P. O. Box 3090
Carlsbad, New Mexico 88221

September 24, 2020

Mr. Mike Sandoval
Cabinet Secretary
New Mexico Department of Transportation
P.O. Box 1149
Santa Fe, NM 87504

Dear Secretary Sandoval:

We appreciate the collaborative relationship the New Mexico Department of Transportation (NMDOT) and the Waste Isolation Pilot Plant (WIPP) have shared over the years.

Since the resumption of TRU waste shipments, NM State Transportation Commission (STC) resolutions have authorized use of the Jal Negotiated (alternate) Route (B) for shipments destined for the WIPP facility in southeast NM. WIPP has not received shipments from Savannah River Site (SRS) and Oak Ridge National Laboratories (ORNL), nor have we used the Jal Negotiated (alternate) Route (B) since March 18, 2020. The Jal Negotiated (alternate) Route (B) was as follows:

Starting at the TX/NM border proceeding west on Texas/New Mexico 176 to the junction with NM 18, proceeding south on NM 18 to Jal, New Mexico and turning west to NM 128 to the WIPP South Access Road, terminating at the WIPP facility (See Enclosure A).

STC Resolution 2019-06 granted authorization for use of the Jal Negotiated (alternate) Route (B) and expired June 30, 2020. As COVID-19 precautions ease and transportation activities increase, WIPP seeks to resume shipments utilizing the southern corridor as soon as October 2020. Several conditions adverse to transportation safety exist for WIPP shipments along the negotiated primary route (US 285) and warrant the reauthorization of the Jal Negotiated (alternate) Route (B). These conditions include construction projects, the sinkhole at US 285 and National Parks Highway and heavy oilfield traffic. Reauthorization of the Jal Negotiated (alternate) Route (B) will allow safer transportation of transuranic (TRU) materials on New Mexico public roads. The negotiated primary route approved for use is as follows:

Starting at the TX/NM border on US 285 from Pecos, TX, proceeding north on US 285 to the junction with US 62/180 in Carlsbad, NM, then proceeding east on US 62/180 to the intersection with the WIPP North Access Road, then traveling south on the WIPP North Access Road and terminating at WIPP site.

Additionally, we would also like to request renewal of the designated secondary alternate route for use when conditions warrant during construction in the Jal area on Highways NM 18 and NM 128 which is slated to begin in 2021. The designated secondary alternate route is described as follows:

Starting at the TX/NM border proceeding west on Texas/New Mexico 176 to the junction with NM 18, proceeding north on NM 18 to the junction with US 62/180 in Hobbs, NM, then proceeding west on US 62/180 to the intersection with the WIPP North Access Road, then traveling south on the WIPP North Access Road and terminating at WIPP (See Enclosure A).

The NMDOT authorities for WIPP route approval are in accordance with controlling federal rules under the Code of Federal Regulations (CFR) Title 49, Section 397, and in accordance with the provisions of the Western Governors' Association (WGA) WIPP Program Implementation Guide (WIPP-PIG). These exclusive authorities are granted to the STC by the Radioactive and Hazardous Materials Act, NMSA 1978, Sections 74-4A-1 through 74-4A-14 (1991) to designate highway routes for the transportation of radioactive material. The Department of Energy (DOE) requests a renewal for the continued use of the current Jal Negotiated (alternate) Route (B) and the designated secondary alternate route until December 31, 2021.

Thank you for your consideration of our request. We look forward to many more years of working together to ensure the safe transport of shipments bound for WIPP over New Mexico's highways. Should you require further information, please contact Mr. James Mason, Institutional Affairs Manager, at (575) 234-7335.

Sincerely,

A handwritten signature in black ink, appearing to read 'RK' or 'Knerr', written over the word 'Sincerely,'.

Reinhard Knerr
Manager
Carlsbad Field Office

Enclosures (2)

Mr. Mike Sandoval

-3-

September 24, 2020

cc: w/enclosures

M. Hall, CBFO *ED

K. Princen, CBFO ED

G. Basabilvazo, CBFO ED

J. Stroble, CBFO ED

M. Brown, CBFO ED

M. Toothman, CBFO ED

A. Walker, CBFO ED

J. Mason, CBFO ED

A. Johnson, NWP ED

T. Parker, NMDOT ED

R. Padilla, NMDOT ED

E. Travis, NMDOT ED

R. Meeks, NMDOT ED

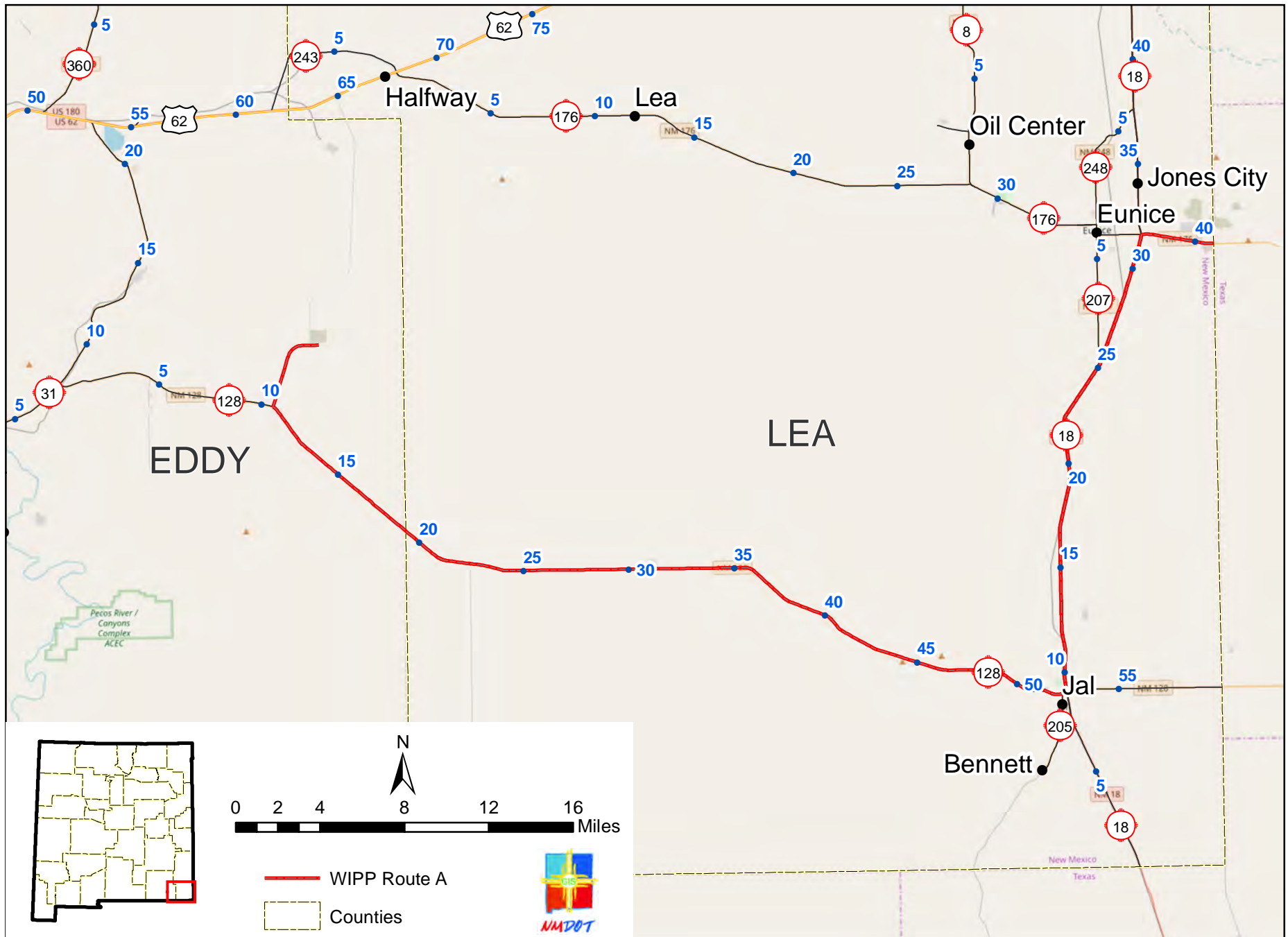
E. Trujillo, NMEMNRD ED

CBFO M&RC

*ED denotes electronic distribution

WIPP Routes

Attachment 2



Tab 7b

NMDOT Contractor Prequalification Rule, 18.27.5 NMAC

Commission Brief

SUBJECT:

NMDOT Contractor Prequalification Rule, 18.27.5 NMAC, Rulemaking Update

PRESENTER: Rick Padilla, Executive Director for Highway Operations

BACKGROUND:

STC authorized NMDOT to enter rulemaking at its January 2020, meeting. NMDOT held a public hearing on October 15, 2020.

The public comment period closed at the conclusion of that hearing.

One written comment and two oral comments were received. As a result, NMDOT is reconsidering some of the rule's provisions.

The NMDOT will continue to have meetings with interested parties to discuss various provisions of the rule.

ACTION:

Discussion purposes only. No action is required.

Tab 7c

Approval of Proposed 2021 STC Meeting Schedule

Commission Brief

SUBJECT:

Proposed 2021 STC Meeting Schedule

PRESENTER: Michael Sandoval, Cabinet Secretary, NMDOT

BACKGROUND:**ACTION:**

Respectfully Request the STC take Action

PROPOSED 2021 STC SCHEDULE
NEW MEXICO STATE TRANSPORTATION COMMISSION
LOCATION, DATES DEADLINES

Date	Location		Agenda deadline	Legal Notice deadline
January 22, 2021	Santa Fe	(D5)	January 7, 2021	January 12, 2021
March 25, 2021	Las Vegas	(D4)	March 10, 2021	March 15, 2021
May 20, 2021	Albuquerque	(D3)	May 5, 2021	May 7, 2021
July 15, 2021	Las Cruces	(D1)	July 1, 2021	July 2, 2021
September 16, 2021	Milan	(D6)	September 1, 2021	September 3, 2021
November 18, 2021	Hobbs	(D2)	November 3, 2021	November 5, 2021

Note: All meetings begin at 8:30 am unless specified

Tab 8

Secretary Report

Commission Brief

SUBJECT:

Secretary Report

PRESENTER: Michael Sandoval, Cabinet Secretary, NMDOT

BACKGROUND:**ACTION:**

No Action

Tab 9

FHWA Report

Commission Brief

SUBJECT:

FFY20 End Fiscal Year Dashboard

PRESENTER: J Don Martinez, Division Administrator, FHWA

BACKGROUND:**ACTION:**

No Action