



TOWN OF TAOS

SOLE SOURCE REQUEST AND DETERMINATION FORM - AMENDED

A sole source *determination* is not effective until the *sole source request for determination* has been posted for thirty (30) calendar days without challenge, and subsequently approved in writing by the Procurement Officer. The foregoing is a requirement under NMSA 13-1-126 – 13-1-126.1 as amended by Laws 2013, ch. 40 § 6 effective June 14, 2013.

- I. Name of Entity: TOWN OF TAOS
- Procurement Agent: Sharon Voigt
svoigt@taosgov.com
- Telephone Number: 575-751-2025
- II. Name of prospective Contractor: Advanced Navigation and Positioning Corp.
- Address of prospective Contractor: 489 North 8th Street, #203
 Hood River, OR 97031
- Amount of prospective contract: \$160,957 – 90% FAA Reimbursed
- Term of prospective contract: Through September 30, 2021
- III. Please thoroughly list the services (scope of work), construction or items of tangible personal property of the prospective contract:
- Diagnosis and repair to the interrogation transmitters for the Local Area Multilateration System (LAMS) installed on Green Mountain which suffered damage from a lightning strike.
- IV. Provide an explanation of: the criteria developed and specified by the department.
- The criteria developed for the LAMS was based on a memorandum of agreement between the Federal Aviation Administration (FAA), the Town of Taos, Taos Pueblo and other state and federal agencies to monitor and provide data of the number of aircraft that fly over the Taos Pueblo World Heritage Site and Blue Lake Wilderness Area. Remote technical assistance on this monitoring system that has been in service since December, 2013, can only be accomplished or provided by the manufacturer and builder of this aircraft monitoring system, ANPC.

- V. Provide a detailed, sufficient explanation of the reasons, qualifications, proprietary rights or unique capabilities of the prospective contractor that makes the prospective contractor ***the one source*** capable of providing the required professional service, service, construction or item(s) of tangible personal property. (Please do not state the source is the “best” source or the “least costly” source. Those factors do not justify a “sole source.”)

In 2013, the Town issued a Request for Qualifications and had two responses. Only one company responded with the qualifications to build and install a proven aircraft monitoring system and technology that had the capability to track aircraft location, altitude, speed and path over the specified areas of Taos Pueblo. ANPC, who designed, built and installed the aircraft monitoring system and its proprietary software, is the only company with the design and operating specifications to service the equipment installed for this monitoring project and keep it calibrated and operating with the precision needed to complete this data-gathering project. In 2014, Contract TT-14-63 was issued between the Town of Taos and Advanced Navigation & Positioning Corp. and includes within its scope the LAMS at Green Mountain. Amendment #4 to the contract encompasses the repair of the LAMS on Green Mountain.

- VI. Provide a detailed, sufficient explanation of how the professional service, service, construction or item(s) of tangible personal property is/are ***unique and how this uniqueness is substantially related to the intended purpose of the contract.***

The services provided by ANPC for remote technical assistance on the aircraft monitoring system requires knowledge of the proprietary software and calibration of the system ANPC designed and built.

- VII. Explain why other similar professional services, services, construction or item(s) of tangible personal property ***cannot*** meet the intended purpose of the contract.

ANPC does not sub-contract services for their proprietary software and equipment. The aircraft monitoring system, including sensor array and computer software, in use at Taos Regional Airport and Green Mountain must be serviced only by ANPC due to their unique knowledge of the system, software and calibration specifications.

- VIII. Provide a narrative description of the agency’s due diligence in determining the basis for the procurement, including procedures used by the agency to conduct a review of available sources such as researching trade publications, industry newsletters and the internet; reviewing telephone books and other advertisements; contacting similar service providers; and reviewing the State Purchasing Agent’s vendor list. Include a list of businesses contacted (***do not state that no other businesses were contacted***), date of contact, method of contact (telephone, mail, e-mail, other), and documentation demonstrating an explanation of why those businesses could not or would not, under any circumstances,

perform the contract; or an explanation of why the agency has determined that no businesses other than the prospective contractor can perform the contract.

On December 20, 2012, the Town of Taos issued RFQ 12-13-07 to install and maintain an aircraft monitoring system to meet the needs outlined in the memorandum of agreement mentioned in paragraph IV. Two companies responded to the RFP and were interviewed by the Town of Taos and experts in aviation operations and radar tracking systems. One of the respondents was ANPC with a proven system capable of meeting the specified needs in the RFP. The other company, eTaos, believed they could develop a system but had never seen, built, or operated such a system. Representatives from the Town of Taos, Taos Regional Airport Advisory Board, Federal Aviation Administration and New Mexico Department of Transportation Aviation Division agreed upon the selection of ANPC to install and maintain the aircraft monitoring system, with a contract being executed in May, 2013. ANPC has provided remote technical assistance to keep this monitoring system operational since December, 2014. An additional two years of remote technical assistance are needed to fulfill obligations as set forth in the above-mentioned memorandum of agreement.

Certified by:

Department Approval by:

Date: 5/30/19


Department Head

If this sole source relates to a procurement of general services:

- 1) Signature of the Town Procurement Officer on this form certifies the sole source has been posted for thirty (30) calendar days and has received no challenges.
- 2) Sole source is granted as of the date of signature by the Procurement Officer.
- 3) Signature of the Procurement Officer on this form is the final signature required for this sole source procurement.

If this sole source relates to a procurement of professional services:

- 1) Signature of the Procurement Officer on this form certifies the sole source has been posted for thirty (30) calendar days and has received no challenge(s).
- 2) Signature of the Procurement Officer (below) is required; and
- 3) Sole source is granted as of the date of signature by the Procurement Officer.

APPROVED:

Date: _____

Town of Taos Procurement Officer

Town Purchasing Agent

Challenges
