

## Falling streetlights along ABQ ART route prompt - Albuquerque Journal (NM) - June 17, 2021

June 17, 2021 | Albuquerque Journal (NM) | Olivier Uyttebroeck; Journal Staff Writer

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First, there were the trailblazing electric Albuquerque Rapid Transit buses that couldn't hold the charge the manufacturer had promised.

Then, there were issues with inconsistent heights at some of the platforms, which city leaders worried could cause problems for those in wheelchairs. And mirrors on the buses were hitting the part of the platform holding up the canopies. Then came numerous crashes as drivers struggled to navigate ART routes.

Last week, city officials revealed yet another issue with the problem-plagued rapid bus system: falling 25-pound lights that they contend are endangering the public.

A number of the light fixtures have fallen from a height of up to 25 feet onto the street, according to a lawsuit the city filed last week against companies involved in the design and construction of the ART system.

Albuquerque is seeking at least \$2.5 million in compensatory damages and an additional \$10 million in punitive damages.

The problem first came to light in March 2020 when a company under contract with the city found seven missing light fixtures on Central Avenue, the suit alleges. The lights apparently had fallen off light poles.

One more light fell into the street at Central and Louisiana on May 26, 2020. Then, an estimated 28 lighting fixtures either fell or were hanging precariously following a windstorm on Sept. 8, 2020, the suit contends.

"The falling light fixtures create an immediate threat to the safety of pedestrians and drivers utilizing the roadways," according to the lawsuit filed June 8 in 2nd Judicial District Court.

City officials say they are unaware of any injuries associated with the falling lights.

A report prepared for the city found that ill-fitting screws and other parts provided by the manufacturer allowed the fixtures to move and wear out, causing the lights to work loose from the pole, the suit contends.

A city spokesman said officials began searching for solutions as soon as they became aware of the problem.

"We immediately started fixing the problem, whether that includes retrofitting or getting new fixtures," said Johnny Chandler, a spokesman for the city's Department of Municipal Development.

"We will retrofit the fixtures when acceptable, and completely change the fixtures if needed," he said.

As of last week, at least 46 streetlights had detached from the pole and had "either fallen to the ground or required removal because they were only being held in place by electrical wiring," the suit said.

The lights were manufactured by California-based Environmental Lighting for Architecture Inc., ELA, according to the lawsuit.

Scott Jones, president of ELA, told the Journal in a written statement Wednesday that the firm "has reached out to the city and offered assistance and hope that a swift and amicable solution can be found."

Following the Sept. 8 windstorm, ELA worked with the city to develop a safety mechanism intended to prevent light fixtures from falling, Jones said. He also said that the fixtures were modified in ways not approved by the company.

"It should be noted that the lighting fixtures are not original ELA Lighting Company's products, but rather ELA lighting fixtures that were modified by an outside source against ELA's recommendations," Jones said in the statement.

The suit also names six other firms, including New Mexico companies Bradbury Stamm Construction, general contractor for ART, and Dekker/Perich/Sabatini, an architectural subconsultant for the project.

Kendal Giles, chief operations officer for Dekker/Perich/Sabatini, said the firm doesn't belong in the suit because it had no part in the selection or installation of the streetlights. The firm's role was limited to ART platforms, he said.

Officials at Bradbury Stamm Construction didn't immediately respond to a request for comment on Wednesday. Also named is Dalkia Energy Solutions, a Massachusetts firm hired to convert the city's streetlights to LED lighting. Dalkia did not immediately respond to an email requesting comment.

### Costly fixes

In December, the city used ELA's safety mechanism to secure about 1,700 streetlights, including those installed as part of the ART project, according to the lawsuit. The city also directed a contractor to replace 45 failed light fixtures.

Albuquerque paid a total of \$494,000 for the replacements and the retrofitting, the lawsuit estimates.

The installation of 1,047 Central Avenue streetlights from Louisiana to Coors was largely complete by December 2017.

That month, Albuquerque officials announced the new lighting as one of several measures intended to make ART safe for the public.

"We are going to light up the sidewalks," Michael Riordan, then the city's chief operations officer, said in 2017 of the Central Avenue lighting. "It is going to be bright and beautiful, and safe to walk."

Former Mayor Richard Berry proposed the bus system as a transformational project for Central Avenue.

By 2016, the project had roused opposition from Central Avenue businesses who argued the project would choke traffic and restrict access to businesses.

In 2018, the city rejected all 15 electric buses delivered by manufacturer BYD Motors, citing insufficient battery life and other problems. The city settled a lawsuit against the company in 2019 that terminated the city's obligation to buy \$22 million worth of buses.

The city began ART service in November 2019 using 20 diesel-powered buses.

#### **CITATION (HARVARD STYLE)**

Uyttebrouck, O 2021, 'Falling streetlights along ABQ ART route prompt city lawsuit', *Albuquerque Journal (NM)*, 17 Jun, (online NewsBank).

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