

From: [GLORIOSO-MOSS , ROMELLA S.](#)
To: ramonlorenzomartinez@gmail.com
Cc: [GARCIA, MICHAEL J.](#); [Gary Schiffmiller](#); toddcanon@yahoo.com; chandler.tmoore@gmail.com; [Mark Brooks](#); [KEELIN, KODY W.](#)
Subject: FW: Request for BPAC Agenda Item – Guadalupe Street Project Concerns
Date: Wednesday, October 1, 2025 9:28:00 PM
Attachments: [image.png](#)
Importance: High

Dear Ramon,

Please see the responses to your email below in **red**. These are from our Construction Superintendent, Mark Brooks (cc'd), and from me, as the Responsible Person In-Charge for the project. In my opinion, they are not different from the responses provided by Kody Keelin (City Construction Project Manager) several weeks ago. I am responding because you addressed your email to BPAC, for which I serve as the staff liaison. As we have agreed in a separate email, if you are not satisfied with our responses, please let me know by mid-afternoon tomorrow so I can include the issue on the agenda for the September 11th meeting. You can attend via Zoom.

Thank you, Ramon.

Romella

From: Ramon Martinez <ramonlorenzomartinez@gmail.com>
Sent: Tuesday, September 9, 2025 1:17 PM
To: toddcanon@yahoo.com; GARCIA, MICHAEL J. <mjgarcia@santafenm.gov>; chandler.tmoore@gmail.com; GLORIOSO-MOSS , ROMELLA S. <rsglorioso-moss@santafenm.gov>; schiffmiller@earthlink.net
Subject: Request for BPAC Agenda Item – Guadalupe Street Project Concerns

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Dear BPAC Members,

I am requesting an agenda item at the upcoming BPAC meeting to address serious concerns about the Guadalupe Street reconstruction project.

I have seen pedestrian and bicycle elements removed late in the construction process, with no clear public notification. ADA/PROWAG compliance is being cited, but City Staff have not provided any details. They have had ample opportunity to communicate these issues and find better solutions during the many delays to this project. These late-stage removals undermine the core objective of the project, which is a road diet to improve pedestrian safety and accessibility.

It is not too late to get these pedestrian elements restored. I've attached photos showing the city is actively reworking the project as we speak, taking guidance likely from NMDOT and FHWA.

It is common for projects like this to secure ADA/PROWAG waivers or technical infeasibility exemptions when conditions are constrained. It appears, however, that design reworkings have been made largely to accommodate drivers, not pedestrians and cyclists. If the city will reveal what these specific infeasible conditions were, we can provide guidance on obtaining exemptions and waivers. Sadly City staff is currently stonewalling any requests for information.

At the same time, the City has not provided confirmation that all bike lanes and striped bike/ped amenities will be implemented exactly as specified in the project plans.

BPAC should request immediate explanations from staff on:

- Why pedestrian-friendly elements have been cut or altered at the last minute.

Mark Brooks: The crosswalk that Mr. Martinez is referring to would not meet compliance due to driveways on each side of the road. We looked for a solution to the problem but could not find one that meets ADA standards. NMDOT and FHWA ADA inspectors had no objections to us removing this crosswalk from the plan set. There is a controlled crossing approximately 300 feet to the north and a signed crossing about 350 feet to the south of this location.

My response: Modifying or removing elements from approved plans is a normal and often necessary part of the engineering and construction process, especially when real-world conditions don't align with what's on paper. This is not the first time something that was designed could not be constructed as planned. That's why every project includes 'As-Built Plans'.

Common Reasons Plans May Change During Construction:

1. Field Conditions Differ from Expectations

- Subsurface utilities, soil conditions, or drainage patterns may not match survey data.

2. Physical Constraints

- Space limitations, nearby structures, or driveways (like in your case) may make certain elements non-compliant or unsafe.

3. **Regulatory or Accessibility Issues**

- **Design may look compliant on paper, but once assessed in the field (e.g., for ADA standards), it might not meet actual requirements.**

4. Stakeholder Feedback or Safety Reviews

- Input from local agencies, residents, or inspectors (e.g., NMDOT, FHWA) can lead to changes after plans are approved.

5. Budget or Material Constraints

- Sometimes changes are made to stay within project scope, timeline, or funding limits.

How It's Usually Handled:

- Field adjustments or change orders are issued.
- Agencies like NMDOT or FHWA are consulted when significant elements are changed or removed.
- Any updates are documented to ensure transparency and compliance.
- Why no proactive public notification was made.

My response: As I mentioned above, modifying or removing elements from approved plans during construction is typical. NMDOT and FHWA do not require contractors to notify the public of such changes.

- Why waivers/exemptions were not sought to preserve core pedestrian features.

My response: Waivers or exemptions were not sought because the proposed crosswalk location was determined to be unsafe and non-compliant with ADA standards due to physical constraints, such as driveways on both sides of the road. Waivers or exemptions are only granted when the alternative design can still meet safety and accessibility requirements. In this case, no solution was found that could meet those standards while preserving the pedestrian feature.

- What guarantees the public can receive that bike lanes, striping, and bike/ped amenities will all be delivered as planned.

Mark Brooks: All striping and amenities are now complete.

My response: Let me start by saying that all plans include detailed quantities and cost estimates. When the project is bid out for construction, the City compares the bids to the Engineer's Probable Cost Estimate to ensure they are reasonable. Contractors are reimbursed based on the actual quantities of work completed. Therefore, if a feature such as bike lanes, striping, or bike/ped amenities is not constructed as designed, the contractor will not be paid for that item. As a result, it is in the contractor's best interest to construct all features according to the approved plans.

- What recourse exists if project elements are reduced.

Mark Brooks: No other elements are to be reduced on this project unless it becomes a requirement of NMDOT or FHWA.

My response: If any project elements are reduced, omitted, or modified during construction, several layers of oversight and recourse are in place. First, the City's Construction Management Team regularly monitors the project to ensure that all elements are built according to the approved plans. The contractor may make field adjustments with the Construction Management Team's approval, submit a Request for Information (RFI), or initiate a change order, which must be approved by NMDOT and FHWA. When the contractor submits their Pay Application, both the Construction Manager/Engineer and the City Project Manager review and approve the quantities. The contractor will not be reimbursed for any items that are not installed. Additionally, final project acceptance is contingent upon compliance with the approved design or with formally approved modifications.

- A commitment that no further bike or pedestrian elements will be reduced without BPAC notification and review.

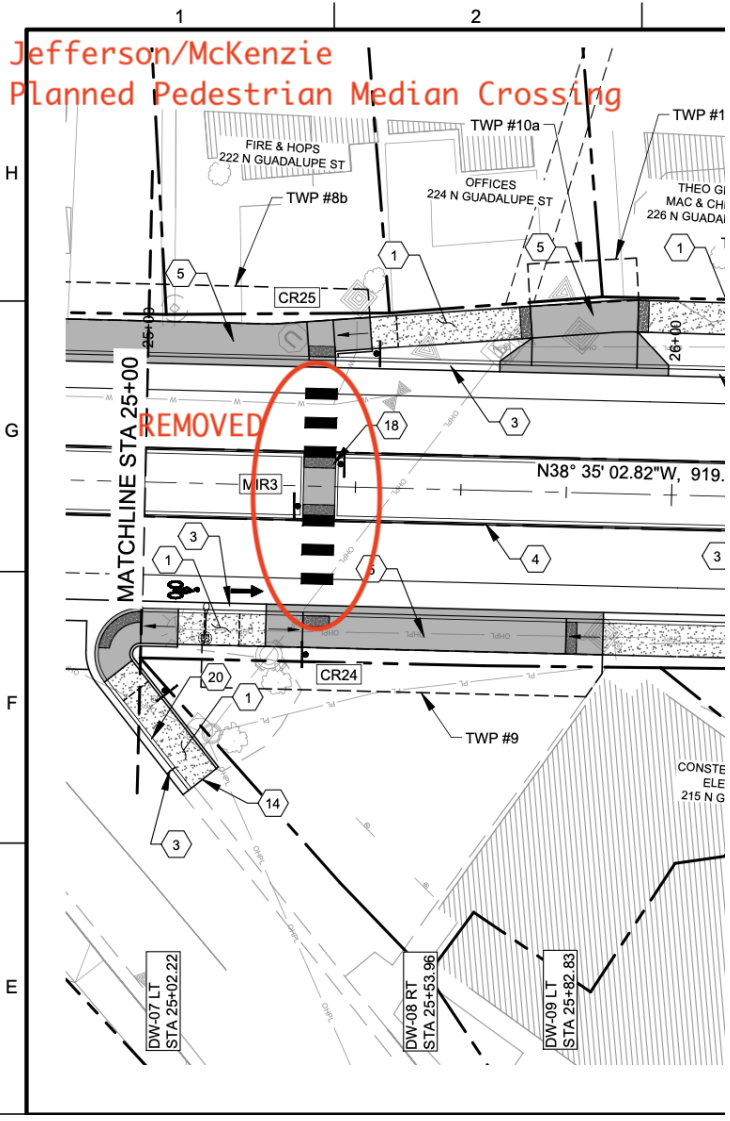
Mark Brooks: The project is complete except for punch list items and will not change unless required by NMDOT or FHWA.

My response: BPAC is an advisory committee only; it is not a policy-making body. They can make recommendations but cannot make final decisions. As stated in BPAC Resolution #2021-8, Section 3.b – Duties and Responsibilities: b) Review preliminary designs for new Public Works projects involving public roadways and trails funded by city, state, or federal sources to ensure the designs comply with the City's commitment to making bicycling and walking safe, equitable, viable, and comfortable modes of transportation. Design plan reviews shall occur at the 30% design stage and before plans are presented to the public for comments or submitted to the New Mexico Department of Transportation (“NMDOT”) for review.

This project was promoted as a model of pedestrian safety and multimodal design. The public deserves accountability and clear answers on why its core goals appear to be eroding.

I have attached photos from the original plans that show:

- The planned pedestrian median crossings at Jefferson and McKenzie, now removed. Kody Keelin, City Of Santa Fe Project manager, Complete Streets has confirmed this was done without notifying the public and due to "limited room to comply with federal code" Mark Brooks: Addressed in the first bullet.
- Photos of a reworking at the Johnson St crossing. This crossing was already in place and complete, but for some reason it is being reworked right now, showing that the city is still actively working on median crossings. Mark Brooks: Was done to bring it into compliance.
- Photos of the removal of a curb originally designed to slow vehicles for pedestrian safety, altered at the City’s request to accommodate cars or buses. Mark Brooks: was done because of traffic concerns and had no impact on pedestrian safety.



Jefferson/McKenzie St Looking North:



Johnson St crossing looking west:



Curb removed to accommodate faster traffic, looking south at Guadalupe St and Agua Fria



Ramon Martinez
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