



City of New Bedford

Office of City Council

133 William Street • New Bedford, Massachusetts 02740

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Linda M. Morad
Councillor at Large

November 8, 2022

Honorable Charles Baker, Governor
Commonwealth of Massachusetts
State House
Boston, MA 02133

Reference: Transfer of the New Bedford State Pier to Private Parties

Dear Governor Baker:

I am writing to you regarding the enclosed letters previously submitted to your Office by the entire House of Representatives New Bedford Delegation and Councillor Maria E. Giesta, my Colleague on the New Bedford City Council.

As I am sure you are aware, the 2018-2023 Port of New Bedford Strategic Plan envisions a collaborative process regarding the development of the New Bedford State Pier. The State Pier is the largest state-owned maritime asset in the Port of New Bedford and is designated to support a diverse array of marine activities that enhance the economic success of the Port of New Bedford. Continued development and long-term investment of this important asset cannot begin until there is an understanding between the New Bedford Port Authority, the City and the State about future uses for the State Pier.

Unfortunately, the process as outlined in the attached letter from the New Bedford Delegation does not appear to be in line with the collaborative process detailed in the Port of New Bedford Strategic Plan. Further, as a long-term New Bedford City Councilor At Large, I was unaware that the Mitchell Administration has somehow given priority to one bidder which will result in the elimination of shipping, ferry access and commercial fishing from the State Pier. This is not what open and transparent government should be nor an example of a fair, open and honest procurement process.

Please utilize the powers of your Office as Governor to negate any priority being provided to one bidder and ensure that the public has a role in learning about and providing input regarding the decisions that will affect the use of the State Pier and the Port of New Bedford for generations to come.

Thank you for your consideration of this correspondence.

Linda M. Morad
New Bedford City Councillor At Large

xc: New Bedford City Council – Councillor Maria E. Giesta
Representative Antonio F.D. Cabral – 13th Bristol
Representative Christopher Hendricks – 11th Bristol
Representative Christopher Markey – 9th Bristol
Representative Paul A. Schmid III – 8th Bristol
Representative William M. Straus – 10th Bristol

Enclosures



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Maria E. Giesta

Councillor Ward Two

October 21, 2022

The Honorable Charles Baker, Governor
Commonwealth of Massachusetts
State House
Boston, MA 02133

Dear Governor Baker:

I am writing to you regarding the enclosed delegation letter sent to you by the entire New Bedford Delegation.

As a New Bedford City Councillor, I was unaware that "the administration has apparently given priority to one bidder which will result in the elimination of shipping, ferry access and commercial fishing from the State Pier."

The 2018-2023 Port of New Bedford Strategic Plan envisions a collaborative process regarding the development of the New Bedford State Pier "long-term investment cannot begin until there is an understanding between the NBPA, the City and the State about future uses for the pier." The process as outlined in the Delegation's letter would not appear to be in line with the collaborative process detailed in the Port of New Bedford Strategic Plan.

As Chair of the Committee on City Property of the New Bedford City Council, I know how important it is to have an open and transparent procurement process. That is why I am in full support of efforts by the Delegation to ensure public procurements are open and transparent.

Sincerely,

Maria E. Giesta

Maria E. Giesta,
New Bedford City Councillor, Ward 2
Chair, Committee on City Property
Chair, Committee on Fisheries
133 William Street, Room 215
New Bedford, MA 02740

MEG: rrr

Enclosure

cc: File



The Commonwealth of Massachusetts

House of Representatives

State House, Boston 02133-1054

October 11, 2022

**Honorable Charles Baker, Governor
Commonwealth of Massachusetts
State House
Boston, MA 02133**

Re: Transfer of New Bedford State Pier to Private Parties

Dear Governor Baker,

We are reaching out to you today to express our serious concern about the process which is occurring within Mass Development affecting the future of waterfront development and use in the Port of New Bedford focused upon the Commonwealth asset known as New Bedford State Pier. State Pier is the largest state-owned maritime asset in our port dedicated to the diverse marine uses which have maintained the harbor as an economic success during your time in office.

We are the five State Representatives whose districts include all or parts of the City of New Bedford.

As you know, the Legislature has taken a strong interest in the legislative updates you have approved in recent years affecting the proper uses and industrial water dependent activities occurring on the state pier. Through your leadership and support, the Commonwealth has invested several million dollars in facility repairs and the installation of cold storage capabilities for the pier warehouse; the approximately \$5 million used for enhancing the cold storage warehouse makes this state property an exceptional shipping point, rivaling other coastal ports throughout New England.

As a result of these joint efforts by the Legislature and your administration, the State Pier has proven to be a unique port asset in Massachusetts which supports as tenants and users a diverse array of marine activities including: shipping, ferry access to Martha's Vineyard and

Nantucket, commercial fishing, vessel fuel access, and the Ernestina, as well as public access for numerous public events.

The State Pier now has positive cash flow as compared to what was happening when you took office; it is our understanding, that the regular financial updates for revenues and expenses for New Bedford State Pier is now in the black. This is a record deserving of recognition and praise.

Today, however, the positive work accomplished at the state pier may be put in doubt as a result of a process being implemented by MassDevelopment under an RFP issued April 6, 2022, which the agency has shielded from all public review and discussion! Although the RFP document identifies an obligation to comply with public records requirements of state law, leadership at the agency has rebuffed requests which some of us have made for release of basic information including, what parties have responded to the RFP, what are the nature of the requests, and to what extent are the existing activities on the state pier going to be affected. It is believed that some local officials have been included in meetings and information about the proposals, but no one can be sure. There is no policy or legal reason for legislators to be denied information on the future of New Bedford State Pier.

An open and transparent process about what the contemplated future of New Bedford State Pier is and should be is required and that will require your involvement.

Efforts for a more open process by MassDevelopment have been championed by our Senate colleague Mark Montigny whose amendment to the Senate version of this session's Economic Development legislation is as follows:

SECTION 141A. (a) Notwithstanding any general or special law to the contrary, the Massachusetts Development Finance Agency, in consultation with the executive office of housing and economic development, shall report the results of the request for proposals, dated April 6, 2022 for the redevelopment of the New Bedford State Pier, not later than 10 days of the effective date of this act. The report shall include, but not be limited to: (i) the bids submitted; provided, however, that the secretary shall not include matters deemed to be trade secrets or confidential, competitively-sensitive or other proprietary information; (ii) any scoring and scoring criteria used for each bid submitted; and (iii) the extent to which each bid satisfies mixed-use development priorities pursuant to section 58 of chapter 228 of the acts of 2018 and item 6720-1350 of chapter 286 of the acts of 2014. The report shall be published on the agency's website and submitted to the senate and house committees on ways and means, the clerks of the senate and house of representatives and the senate committee on steering and policy.

(b) The agency shall conduct a 30-day public comment period following the submission of the report and shall not select a final bid until said period is complete.

We support the principal and goal of the amendment quoted above.

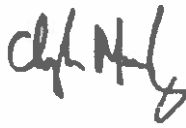
We are asking that you now put a hold on any decision or recommendation by MassDevelopment with regard to the pending RFP and undertake your own review of what has

occurred in terms of the process, the lack of transparency, and how the administration has apparently given a priority to one bidder which will result in the elimination of shipping, ferry access and commercial fishing from the New Bedford State Pier—the major state asset in the harbor dedicated to these critical maritime uses. The public deserves a role in learning about, and providing input, in the outcome of decisions now being considered by your administration which will significantly affect the nature of our port for decades to come.

Thank you for your review and we are available for any further discussions about this issue.



Antonio F.D. Cabral
13th Bristol



Christopher Markey
9th Bristol



Christopher Hendricks
11th Bristol



William M. Straus
10th Bristol



Paul A. Schmid III
8th Bristol