



City of New Bedford
IN COMMITTEE

April 03, 2023

The Honorable City Council
133 William Street
New Bedford, MA 02740

Dear Honorable Members of the City Council:

The Committee on City Property at a Meeting held on Thursday, March 30, 2023, considered a COMMUNICATION, submitted by Andrew O'Leary, Assistant Superintendent, New Bedford Public Schools, to City Council, regarding the site acquisition options for the new DeValles/Congdon Schools. (Ref'd 03/23/2023)

On motion by Councillor Morad and seconded by Councillor Lima, the Committee VOTED: To take NO FURTHER ACTION on the COMMUNICATION, regarding the site acquisition options for the new DeValles/Congdon Schools. This motion passed on a voice vote.

IN COMMITTEE ON CITY PROPERTY

Maria E. Giesta

Councillor Maria E. Giesta, Chairperson

MEG/trr



NEW BEDFORD PUBLIC SCHOOLS

PAUL RODRIGUES ADMINISTRATION BUILDING

455 County Street, New Bedford, MA 02740

www.newbedfordschools.org (508) 997-4511

KAREN A. TREADUP
DEPUTY SUPERINTENDENT

ANDREW O'LEARY
ASSISTANT SUPERINTENDENT
FINANCE & OPERATIONS

THOMAS ANDERSON
SUPERINTENDENT

MEMORANDUM

TO: City Council President Linda Morad
FR: Andrew O'Leary, Assistant Superintendent
DT: March 17, 2023
RE: Site Acquisition Options for New DeValles/Congdon School

The School Building Committee reviewed its options to construct a new school to replace the existing DeValles Elementary School and Congdon Elementary School on the "Goodyear" property or proceed with construction of a new or reconstructed DeValles Elementary School on its present site as existing or as expanded to the north by acquisition of the six parcels bordered by Rivet, Orchard, Bonney, and Katherine Streets.

The Committee viewed these two options as sufficiently unique according to the criteria set forth below by project architect Peter Turowski of Turowski2 Architecture, Inc. to request that you, upon notice to you of the Committee's final site selection, ask the City Council to forego the normal Ch. 30B RFP advertising process and acquire the property in accordance with c. 30B, sec. 16 (e)(2).

Ch. 30B, sec. 16 (e)(2) provides that a governmental body may forego the normal RFP advertising process to acquire real property where the property in question is uniquely suited to the proposed governmental use. Ch. 30B, sec. 16 (e)(2) states:

In the case of a proposed acquisition, the governmental body:

- (i) Votes to determine in writing that advertising will not benefit the governmental body's interest because of the unique qualities or location of the property needed. The determination shall specify the manner in which the property proposed for acquisition satisfies the unique requirements.
- (ii) The governmental body shall publish the determination and the reasons for the determination, along with the names of the parties having a beneficial interest in the property pursuant to section forty J of chapter seven, the location and size of the property, and the proposed purchase price or rental terms, in the central register not less than thirty days before the governmental body executes a binding agreement to acquire the property.

Project architect, Peter Turowski, thoroughly set forth the criteria that must be considered in order for a property to be considered unique as follows, verbatim:

The City will consider suitability of any proposed properties, including but not limited to:

1. Size of the property
2. Site access for pedestrians and vehicles
3. Availability of utilities



The New Bedford Public Schools do not discriminate on the basis of age, gender, race, color, religion, ethnicity, national origin, disability, sexual orientation, ancestry, homelessness, gender identity, gender expression or immigration status.





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4. General site development requirements including whether any demolition would be required
5. Potential to support adequate parking
6. Environmental conditions including any use restrictions such as wetlands, flood zones, grading, drainage, soil conditions and other conditions the City deems relevant to the proposed development of the property as an elementary school campus

Project Architect Turowski continues:

The City will consider properties that offer the possibility of continued use of the existing DeValles School site by expansion of that site, either by direct adjacency and common property lines with the existing DeValles School site or closure or partial closure of common frontage street(s) so create same adjacencies.

- Property located within the City limits, and within the Congdon and DeValles Schools general catchment area, south of Rivet Street, west of County Street, east of Dartmouth Street and north of Cove Street.
- The site must have minimum of 4 acres – consideration will be given to sites that through direct shared property lines or common street frontage to the existing DeValles School site, will, when combined with the DeValles School site, meet the minimum acreage requirements.
- At least 400 feet of frontage on at least one public way, preferably more than one public way. Any public ways must be duly laid out and accepted by the City or other government entity.
- The site geometry must be fairly regular in shape, rectangular shapes are preferred.
- There must be a proper and clear deed of the property, free from liens or any other restrictions of sale.
- The property shall have access to City water and sewer in adjacent streets.
- The property must be able to support three phase power to the site.
- The property shall have access to telephone and high-speed cable infrastructure.
- The property must comply with City of New Bedford ordinances, including zoning to support a school use at least 4 stories, 60 feet in height.
- Free of easements, or easements that are identified and will not interfere with the City's intended development of the site.
- The property must be a single parcel, or contiguous parcels that in aggregate meet the minimum size requirement, or a parcel or contiguous parcels which in aggregate with the existing DeValles site meet the minimum size requirement.

This process is similar to the process used to acquire the property on which the new south end public safety facility is located. We anticipate using the process in order to meet Massachusetts School Building Authority (MSBA) timelines and expedite the project and avoiding cost increases due to inflation.

We thank you in advance for your cooperation and assistance in advancing this project that is so critically important to the City and especially to the students who will be able to enjoy a first-class school and education thanks to your efforts.

Sincerely,

Andrew O'Leary, Assistant Superintendent