

CITY COUNCIL CALENDAR

Thursday, February 11, 2021

NOTE:

THIS MEETING IS BEING HELD REMOTELY IN ACCORDANCE WITH THE GOVERNOR OF MASSACHUSETTS' MARCH 12, 2020 ORDER SUSPENDING CERTAIN PROVISIONS OF THE OPEN MEETING LAW G.L.C. 30A, SECTION 20 AND THE CITY COUNCIL'S VOTE TO WAIVE RULE 21A ON APRIL 7, 2020 AND AMENDED ON AUGUST 20 AND SEPTEMBER 24, 2020, AND JANUARY 14, 2021 – THIS MEETING WILL BE LIVE STREAMED ON NB CABLE ACCESS FACEBOOK PAGE

OPENING OF SESSION BY:

CITY COUNCIL PRESIDENT JOSEPH P. LOPES

PLEDGE OF ALLEGIANCE

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MAYOR'S PAPERS

M1. COMMUNICATION, Mayor Mitchell, to City Council, submitting a revised LOAN ORDER, appropriating \$420,692.00, to pay the costs of improving Abolition Row Park Phase 2, contingent upon the award of a PARC Grant from the Commonwealth of Massachusetts and the identification of additional grants, including but not limited to, Community Preservation Act funding, to support the require local match. **(This Loan Order replaces the previous version submitted on January 14, 2021: and No Further Action Taken – January 28, 2021.)**

M1a. LOAN ORDER, (revised)

NEW BUSINESS

1. REPORT, Committee on City Property, recommending to the City Council ADOPTION of AN ACT, Authorizing the City of New Bedford To Convey Certain Land Acquired for Open Space and Playground Purposes.

1a. AN ACT, Referred to the Committee on City Property - November 12, 2020.)

2. REPORT, Committee on Finance, recommending to the City Council ADOPTION of the STA application and Resolution approved by the Tax Increment Financing Board for a five (5) year STA Agreement for ***The Atlantic Red Crab Company, LLC.***

2a. RESOLUTION,

3. REPORT, Committee on Finance, recommending to the City Council ADOPTION of the STA and Resolution approved by the Tax Increment Financing Board for a five (5) year Agreement for ***Eastern Fisheries, Inc.***

3a. RESOLUTION,

5. REPORT, Committee on Finance, recommending to the City Council ACCEPTANCE of the TAX INCREMENT EXEMPTION/HOUSING DEVELOPMENT INCENTIVE PROGRAM for the ***National Downtown Club LLC*** 2135 and 319 Commercial Street and 10 Front Street.

5a. RESOLUTION,

5. LOAN ORDER, appropriating \$150,000,00, for the purpose of paying costs of a schematic design/feasibility study for the proposed accelerated repairs consisting of the potential replacement of the windows, doors and boiler, including the payment of all costs incidental or related thereto at the Elwyn G. Campbell School located at 145 Essex Street. (Passed to a Second Reading - January 14, 2021.)

6. WRITTEN MOTION, Councillors Giesta, Abreu, Carney, Gomes, Lima, Morad and Markey, requesting, that the City Council, through its' Special Committee on Memorials and Dedications, work closely with the New Bedford School Committee and City administration to properly honor and celebrate the life, public service and achievements of the late Mayor Frederick M. Kalisz, Jr., LPD, with specific consideration given to re-dedicating one of the three New Bedford Middle Schools in Mayor Kalisz's name due to these schools being the first new City school buildings to be successfully constructed in almost 30 years as a result of the unrelenting leadership and guidance of Mayor Kalisz, who charted a course of action with the goal of improving the quality of education for every New Bedford student and succeeded in reaching this goal which now stands as an important part of our City's history and a remarkable achievement; and whereby it would be a fitting way for New Bedford to honor the life, public service, memory and legacy of its' leader in that historic endeavor by re-dedicating one of these schools in the name of Frederick M. Kalisz, Jr. (To be Referred to the Special Committee on Memorials and Dedications.)

7. WRITTEN MOTION, Councillor Markey, requesting that DPI Commissioner Jamie Ponte and CFO Ari Sky appear before the Committee of Infrastructure and Redevelopment to discuss the low water pressure issues in the Far North End. (To be Referred to the Committee on Infrastructure and Redevelopment.)

8. COMMUNICATION, Jane Medeiros Friedman, First Assistant City Solicitor to City Council, submitting eleven (11) appraisal summaries for the proposed Infrastructure Improvements at the intersection of Rockdale Avenue and Allen Street.

8a. APPRAISAL SUMMARIES, prepared by Bernard P. Giroux, ASA, MRA for the proposed Infrastructure Improvements at the intersection of Rockdale Avenue and Allen Street.

9. COMMUNICATION, Jane Medeiros Friedman, First Assistant City Solicitor to City Council, submitting a proposed Order of Taking to acquire the

permanent and temporary easements that are needed for the Infrastructure Improvements at the intersection of Rockdale Avenue and Allen Street.

9a. AN ORDER OF TAKING,

10. COMMUNICATION, Council President Lopes submitting a copy of a letter regarding the School Committee's recommendation to purchase property at 449 North Street for the New Bedford Public Schools' Food Service Department. (To be Referred to the Committee on City Property.)

11. COMMUNICATION, Council President Lopes, submitting a signed petition and letter regarding the status of the Whaling City Golf Course and the proposed advanced manufacturing campus on Hathaway Road. (To be Received and Placed on File.)

TABLED BUSINESS

NO ITEMS ON THIS AGENDA.



Item Title:

THIS MEETING IS BEING HELD REMOTELY IN ACCORDANCE WITH THE GOVERNOR OF MASSACHUSETTS' MARCH 12, 2020 ORDER SUSPENDING CERTAIN PROVISIONS OF THE OPEN MEETING LAW G.L.C. 30A, SECTION 20 AND THE CITY COUNCIL'S VOTE TO WAIVE RULE 21A ON APRIL 7, 2020 AND AMENDED ON AUGUST 20 AND SEPTEMBER 24, 2020, AND JANUARY 14, 2021 -- THIS MEETING WILL BE LIVE STREAMED ON NB CABLE ACCESS FACEBOOK PAGE

Item Detail:

Additional Information:



Item Title:
CITY COUNCIL PRESIDENT JOSEPH P. LOPES

Item Detail:

Additional Information:



Item Title:

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Item Detail:

Additional Information:



Item Title:

COMMUNICATION-LOAN ORDER-ABOLITION ROW PARK PHASE 2

Item Detail:

M1. COMMUNICATION, Mayor Mitchell, to City Council, submitting a revised LOAN ORDER, appropriating \$420,692.00, to pay the costs of improving Abolition Row Park Phase 2, contingent upon the award of a PARC Grant from the Commonwealth of Massachusetts and the identification of additional grants, including but not limited to, Community Preservation Act funding, to support the require local match. **(This Loan Order replaces the previous version submitted on January 14, 2021: and No Further Action Taken – January 28, 2021.)**

M1a. LOAN ORDER, (revised)

Additional Information:

ATTACHMENTS:

Description	Type
 ABOLITION ROW PARK PHASE 2	Cover Memo



CITY OF NEW BEDFORD
JONATHAN F. MITCHELL, MAYOR

February 4, 2021

City Council President Joseph P. Lopes and
Honorable Members of the City Council
133 William Street
New Bedford, MA 02740

Dear Council President Lopes and Honorable Members of the City Council:

I am submitting for your approval a *revised* LOAN ORDER appropriating \$420,692 to pay the costs of improving Abolition Row Park Phase 2 contingent upon the award of a PARC grant from the Commonwealth of Massachusetts and the identification of additional grants, including but not limited to, Community Preservation Act funding, to support the required local match.

This loan order replaces the previous version submitted on January 14, 2021.

Sincerely,

Jon Mitchell
Mayor



CITY OF NEW BEDFORD

CITY COUNCIL

February 11, 2021

ORDERED, that \$420,692 is appropriated to pay the costs of improving Abolition Row Park for recreational purposes through the completion of Phase 2 including patio pavement, lighting, interpretive walls and structures and other amenities and all other costs incidental and related thereto, belonging to the City of New Bedford, as indicated on Assessor's Map 46, Lots 55 and 58. The amount authorized for this project by this order shall be contingent upon the award of a PARC grant from the Commonwealth of Massachusetts and the identification of additional grants, including but not limited to, Community Preservation Act funding, to support the required local match.

Said land shall be developed for municipal purposes, namely open space and recreation purposes under the provisions of Massachusetts General Laws, Chapter 45, Section 3, and as it may hereafter be amended and other Massachusetts statutes relating to recreation, shall be managed and controlled by the Park Commission of New Bedford and that the Mayor shall be authorized to file on behalf of New Bedford any and all applications deemed necessary for grants and/or reimbursements from the Commonwealth of Massachusetts deemed necessary under the Urban Self-Help Act (301 CMR 5.00) and/or any others in any way connected with the scope of this Article, and that the City of New Bedford and the Mayor shall be authorized to enter into all agreements and execute any and all instruments as may be necessary on behalf of the City of New Bedford to affect said development.

FURTHER RESOLVED, That any premium received by the City of New Bedford upon the sale of any bonds or notes hereunder, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to pay project costs and the amount authorized to be borrowed hereunder shall be reduced by the amount of any such premium so applied; and that the Mayor is authorized to take any other action necessary to carry out these projects.



CITY OF NEW BEDFORD

JONATHAN F. MITCHELL, MAYOR
PARKS, RECREATION & BEACHES



Request for Mayor's Papers City Council Appropriation for Approval

Submitted February 2, 2021

I am pleased to inform you that the City Department of Parks Recreation & Beaches has been selected by the Executive Office of Energy and Environmental Affairs (EEA) to receive \$294,484.00 in state Parkland Acquisitions and Renovations for Communities (PARC) assistance for Abolition Row Park Phase 2 construction. The PARC grant is on a reimbursement basis. The award represents 70% of the total Phase 2 budget. The remaining 30%, the City match, has been requested in a CPA grant application submitted this month in the amount of \$126,208. The entire Phase 2 budget for the completion of the construction at Abolition Row Park is \$420,692. Please see attached budget for details.

To address Council concerns about the timing of funding for the Phase 2 construction at Abolition Row Park, I have secured permission from the State to add language to the loan order making approval contingent upon the award of the Community Preservation Act grant this spring. See attached revised request for authorization that includes the new language that was approved by the State.

Thank you for your consideration of this request for appropriation of funds for the completion of Abolition Row Park construction. Phase 1 construction will begin in spring 2021 and includes the installation of all underground utilities, grading, fencing, landscaping and some lighting. We hope to follow directly with the Phase 2 construction which includes the installation of the patio pavement, the remainder of the lighting, interpretive walls and structures. The park cannot open to the public until phase 2 is completed.

Respectfully submitted,

Mary S. Rapoza

Mary S. Rapoza, Director



The Commonwealth of Massachusetts
Executive Office of Energy and Environmental Affairs
100 Cambridge Street, Suite 900
Boston, MA 02114

Charles D. Baker
GOVERNOR

Karyn E. Polito
LIEUTENANT GOVERNOR

Kathleen A. Theoharides
SECRETARY

Tel: (617) 626-1000
Fax: (617) 626-1181

November 17, 2020

Mary Rapoza
Parks, Recreation & Beaches
181 Hillman Street, Building 3
New Bedford, MA 02740

Re: Abolition Row Park Phase 2, PARC #16

Dear Ms. Rapoza:

I am pleased to officially confirm that the Abolition Row Park Phase 2 project has been selected by the Executive Office of Energy and Environmental Affairs (EEA) to receive up to \$294,484.00 in state Parkland Acquisitions and Renovations for Communities (PARC) assistance. You will be working with Melissa Cryan of my staff on this project. She can be reached at melissa.cryan@mass.gov.

Project deadline is June 1, 2022

Be advised that the sum of \$294,484.00 for construction will be executed for encumbrance of funds in FY22, which begins July 1, 2021. All construction work must be completed and closed out by June 1, 2022. PARC grants work on a reimbursement basis. Your community's reimbursement rate is 70%. We can only reimburse your community for 70% of what you spend, even if this figure does not reach the maximum value of the grant award for that specific fiscal year.

The project must be completed by June 1, 2022 because your grant award amount has been budgeted by EEA in the fiscal years requested in your application. If you anticipate any difficulties in meeting this spending target and schedule at any time, please contact Melissa without delay.

Next Steps

1. Take a **City Council or Town Meeting vote** if you have not done so already. Melissa must have a certified copy of the vote in hand by December 31, 2020. If you have not yet had her review the vote language, please do so immediately.
2. Execute the **PARC Project Agreements**. The PARC Project Agreement will be signed by your Chief Executive Officer and a majority of the Park or Recreation Commission members. Review the agreement carefully to be sure that the project has been correctly described and contact Melissa immediately if any changes or updates need to be made. If the document is correct, please have two copies signed and return them to Melissa for signature by Kathleen Theoharides, Secretary of EEA. One original will be returned to you to record, along with the town meeting or city council vote, property deed, and boundary map, at the Registry of Deeds, and to be copied for your audit file.
3. Execute a **State Standard Contract**. This document allows our fiscal department to establish an account for your project. No reimbursement request can be honored unless the State Standard Contract, including the **Contractor Authorized Signatory Listing**, are signed and returned to Melissa. The Contractor Authorized Signatory Listing Form should be signed by whoever signed contract. Be sure to fill out both pages of the

document. Only two names should appear on this document – the signatory and the notary. A sample form has been enclosed – please review it closely so that your form is filled out correctly.

4. After the state contract has been signed and returned to you, you may proceed with the final design of your project. You may not start construction until July 1, 2021. Please note that we are unable to reimburse your community for any costs incurred prior to the execution of the State Standard Contract.

Reimbursement Procedures

The reimbursement procedures will be discussed in detail at the Grants Management Workshop (information below). A **quarterly report form** is also enclosed, which is due the first business day of March, June, September, and December while the project is active.

Reimbursement will be contingent upon satisfying the following conditions:

1. The outstanding conversion issue at Fort Taber is resolved through legislation by June 1, 2022.
2. A copy of the **PARC Project Agreement**, which has been recorded at the Registry of Deeds (along with the town meeting or city council vote for the project and boundary map) and a marginal notation entered on the deed to the property, is returned.
3. The construction must be started on July 1, 2021 and closed out by June 1, 2022.
4. New Bedford's Open Space and Recreation Plan receives final approval.
5. Completion of outstanding CRs on parcels acquired with the use of CPA funds. Applicants that have purchased real property interests for open space or recreational purposes using money from the Community Preservation Fund must have all conservation restrictions required by Section 12 of Chapter 44B approved by the Secretary of Energy and Environmental Affairs and recorded prior to receipt of project reimbursement from the Executive Office of Energy and Environmental Affairs. Please submit to DCS documentation showing the conveyance of approved CRs to an appropriate entity on the below listed properties acquired with the use of CPA. Documentation should include the grantee, date of conveyance, and registry book/page of the CR document.

Legally Protected Recreation Land – New Bedford's Commitment

Please remember that according to Article 97 of the Amendments to the Massachusetts Constitution, acceptance of the state grant requires that this site remain open to the general public and prohibits any other use other than public outdoor recreation.

Project Sponsor's Workshop

Please carefully review all the enclosed information, and plan to attend the Project Sponsor's Workshop. This is a short, but important, mandatory meeting to review how to prepare your reimbursement request(s). If you cannot attend, please send someone to represent you since it would be very difficult to meet individually with each project sponsor. The same workshop will be offered on two different dates virtually. The first will be held on Tuesday, December 8, 2020 at 11:00 am. The second will be held on Wednesday, December 9, 2020 at 2:00 pm. Please RSVP to Melissa as to who will be attending from your office and which date you prefer. Upon registration, the login information will be provided.

Congratulations on your successful application to the PARC program!

Sincerely,



Robert O'Connor
Director

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Budget for Abolitionist Row Park 07-09-2020

Phase One Construction Budget \$252,730.00

Materials List and Budget	Unit	Qty.	cost per item	Subtotal Cost	Ph. One	Ph. Two
Site Preparation						
Mobilization	allow			\$ 3,000.00	X	
Construction fence, 6' CLF	lf	440	14	\$ 6,160.00	X	
Extended construction fence rental, 1 year	allow	1	6000	\$ 6,000.00	X	
Construction gate	lf	1	500	\$ 500.00	X	
Erosion control- silt fence and haybale	lf	200	4.5	\$ 900.00	X	
Index Dots	Days	5	1500	\$ 7,500.00	X	
Clearing and Grubbing (10,611 sf)	allow			\$ 3,000.00	X	
Remove and dispose concrete and asphalt pavement	sf	682	7	\$ 4,774.00	X	
Cap existing utilities	allow	1	1500	\$ 1,500.00	X	
Prepare site for construction grade for plaza, remove and store granite steps & curb- 5075 sq. ft.	allow			\$ 7,500.00	X	
PH II mobilization, parking and repair	allow			\$ 5,000.00		X
Subtotal				\$ 45,834.00	\$ 40,834.00	\$5,000.00
Utilities						
Water, include backflow preventer and 2 hose bibs	allow			\$ 3,500.00	\$ 3,500.00	X
Electrical connection	allow			\$ 5,000.00	\$ 5,000.00	X
Phase I electrical shoring	allow	1	6,000.00	\$ 6,000.00	X	
60Kc adjustments	allow	1	2,500.00	\$ 2,500.00		X
Subtotal				\$ 17,000.00	\$ 14,500.00	\$2,500.00
Site Improvements						
Gravel borrow for 8" depth under 3,393 sq. ft. pavement	cu yds.	133	\$ 18.00	\$ 2,394.00	X	
Add loam/compost mix to lawn areas at 6"- 1,112 sf	cu yd.	58	\$ 35.00	\$ 2,030.00	X	
Loam for spruce trees in lawn 1/2 cu yds. each	cu yd.	8	\$ 35.00	\$ 280.00	X	
Loam for perennial perimeter garden and raised beds	cu yd.	30	\$ 35.00	\$ 1,050.00	X	
Catch basins with area drains	each	3	\$ 1,200.00	\$ 3,600.00	X	
Drainell	allow	3	\$ 3,000.00	\$ 9,000.00	X	
Repipe public sidewalks as needed for utilities	sq. ft.	100	\$ 12.00	\$ 1,200.00	X	
Install low curb along southern border next to neighboring house	lin ft.	70	\$ 15.00	\$ 1,050.00	X	
Install historic granite curb IFC property corner	lin ft.	50	\$ 28.00	\$ 1,400.00	X	
Type "B" and "C" Plaza concrete with integral color- includes second	sq. ft.	3,276	\$ 12.00	\$ 39,312.00		X
Type "A" Dry laid pavers in the Plaza	sq. ft.	531	\$ 20.00	\$ 10,620.00		X
Dry laid pavers in The Gallery	sq. ft.	832	\$ 20.00	\$ 16,640.00		X
Memorial pavers in main plaza and gallery paving	each	180	\$ 75.00	\$ 13,500.00		X
In-ground entrance address- engraved new granite	each	3	\$ 700.00	\$ 2,100.00		X
Plaza accent border permeable bricks	sf	421	\$ 18.00	\$ 7,578.00		X
Liberty bell accent strip- bricks	sf	76	\$ 18.00	\$ 1,368.00		X
Liberty bell paving- concrete	sf	52	\$ 12.00	\$ 624.00		X
Liberty bell term paving- blk. conc.	sf	110	\$ 3.50	\$ 385.00		X
Recaulking wall around The Gallery	lin ft.	95	\$ 280.00	\$ 26,600.00		X
Water wall w/ existing granite, plumbing & lighting	allow	1	\$ 35,000.00	\$ 35,000.00		X
Soat wall at gallery	allow	1	\$ 17,000.00	\$ 17,000.00		X
Clean and reset historic granite at Spring St. plaza	allow	3	\$ 500.00	\$ 1,500.00		X
Clean and reset historic granite at Spring St. plaza	allow	3	\$ 750.00	\$ 2,250.00		X
Install Seventh St. new granite gate plaza	each	4	\$ 1,300.00	\$ 5,200.00		X
Subtotal				\$ 195,581.00	\$ 72,388.00	\$123,193.00
Site Furniture Including Interpretive Elements						
Perforated wall panels for The Gallery- 6'	lin ft.	101	\$ 386.00	\$ 38,986.00		X
Decorative fence 3' iron three rail fence installed	lin ft.	156	\$ 225.00	\$ 35,100.00		X
Liberty Bell with dampened dome and part name plate	allow	1	\$ 2,500.00	\$ 2,500.00		X
4' chain link fence at neighbor's property line (include new hedge 65 ft,	each	1	\$ 4,000.00	\$ 4,000.00		X
Goussier 12' diameter to include suncatcher, hand rails, deck design and	each	1	\$ 10,000.00	\$ 10,000.00		X
Information panels 2' x 3' (high pressure laminate)	each	2	\$ 1,500.00	\$ 3,000.00		X
Interpretive panel walls, 18' x 6' w/ 4'	each	6	\$ 4,000.00	\$ 24,000.00		X
12' circular bench/raised planter	each	1	\$ 25,000.00	\$ 25,000.00		X
4' benches in ground mount with plaque	each	9	\$ 2,400.00	\$ 21,600.00		X
6' Douglas bench with in ground mount	each	1	\$ 2,400.00	\$ 2,400.00		X
Dog Waste Station	each	1	\$ 500.00	\$ 500.00		X
trash receptacle	each	2	\$ 500.00	\$ 1,000.00		X
Life size bronze statue of young Frederick Douglass	each	1	\$ 1,500.00	\$ 1,500.00		X
Granite pedestals at Gallery	each	10	\$ 1,200.00	\$ 12,000.00		X
Lute library (w/eds labeling and 2 or 3 cast books: Columbian orator,	each	1	\$ 1,700.00	\$ 1,700.00		X
Aeronautical ballads in Spring St. entrance	each	1	\$ 1,500.00	\$ 1,500.00		X
Bike racks	each	3	\$ 800.00	\$ 2,400.00		X
Installation of benches	allow	1	\$ 5,000.00	\$ 5,000.00		X
Subtotal				\$ 342,838.00	\$ 66,608.00	\$176,230.00
Lighting & Electricity						
Electrical service	LS	1	\$ 5,000.00	\$ 5,000.00	X	
Footcandle for Washington lights	each	6	\$ 1,200.00	\$ 7,200.00	X	
Washington style pole lights (3 poles procured to date)	each	9	\$ 1,500.00	\$ 13,500.00	X	
Washington style lanterns- light fixture (2 procured to date)	each	4	\$ 2,800.00	\$ 11,200.00	X	
Labor to install Washington lights	each	2	\$ 750.00	\$ 1,500.00	X	
GF duplex mounted on pole lights	each	2	\$ 150.00	\$ 300.00	X	
Uplighting- ivy wall installed	each	2	\$ 900.00	\$ 1,800.00		X
Uplighting- tree island installed	each	3	\$ 800.00	\$ 2,400.00		X
Down lights (gallery) installed	each	6	\$ 900.00	\$ 5,400.00		X
Constellation lighting- in ground installed	each	14	\$ 400.00	\$ 5,600.00		X
Constellation lighting- remote driver to power lights	each	1	\$ 500.00	\$ 500.00		X
Garage lighting- installed	each	8	\$ 700.00	\$ 5,600.00		X
Electrical box, transformer, (6) outlets and misc. hardware	allow			\$ 8,000.00	X	
Subtotal				\$ 89,800.00	\$ 72,608.00	\$17,192.00
Planting						
mulch at 3" A&S of ONLY FOR TREE BEDS	cu yd.	5	\$ 120.00	\$ 600.00	X	
seed of lawn area only	sf	3112	\$ 0.45	\$ 1,400.40	X	
Flowering Accotade Cherry Trees 3"-3.5" cal	each	16	\$ 1,200.00	\$ 19,200.00	X	
Dura Heat River Birch 14-16' Chang	each	1	\$ 1,200.00	\$ 1,200.00	X	
Shrubs to screen (Thuja occidentalis 'Smaragd') 5' on center 5-6' height	each	22	\$ 85.00	\$ 1,870.00		X
flex glass 'Dorset' P13 container	each	12	\$ 80.00	\$ 960.00	X	
perennials for Gallery wall and tree island	each	151	\$ 22.00	\$ 3,322.00		X
perennials for perimeter garden	each	258	\$ 7.50	\$ 1,935.00		X
perennials for perimeter- labor	each	258	\$ 15.00	\$ 3,870.00		X
Subtotal				\$ 35,207.40	\$ 23,968.00	\$11,239.40
Subtotal without contingency				\$ 494,432.40	\$ 239,583.40	\$154,849.00
contingency fund (w/eds 15% Ph I & 15% Ph II- 15%)				\$ 89,164.86	\$ 35,937.51	\$53,227.35
Total estimated cost (Douglass statue included overall project total but not in Ph I and Ph II subtotals)				\$ 583,597.26	\$ 275,520.91	\$208,076.35

Soft Costs

Total Phase II combined hard and soft cost

\$78,113.27

\$428,691.62

X	Items included in Phase One Construction Budget
-	Items for donation/fundraising not included in bid
#	Anticipated in-kind services from City of New Bedford

PSII Annotations

Work in the public right of way will be contracted separately other than work needed install site improvements in the park.

Quartzite pavers and materials to be provided to Contractors Union to fabricate and install

New public sidewalks with 3' amenity strip and structural soil, tree grates, and 3 street trees - add \$50,000.



Item Title:

REPORT - AN ACT - TO CONVEY LAND ACQUIRED FOR OPEN SPACE AND PLAYGROUND PURPOSES

Item Detail:

1. REPORT, Committee on City Property, recommending to the City Council ADOPTION of AN ACT, Authorizing the City of New Bedford To Convey Certain Land Acquired for Open Space and Playground Purposes.

1a. AN ACT, Referred to the Committee on City Property - November 12, 2020.)

Additional Information:

ATTACHMENTS:

Description	Type
□ REPORT, COMMITTEE ON CITY PROPERTY	Cover Memo



City of New Bedford
IN COMMITTEE

January 28, 2021

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 Tuesday, January 26, 2021, considered a COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ACT, Authorizing the City of New Bedford To Convey Certain Land Acquired for Open Space and Playground Purposes. (Ref'd 11/12/2020)

On motion by Councillor Dunn and seconded by Councillor Lopes, the Committee VOTED: To recommend to the City Council ADOPTION, of AN ACT, Authorizing the City of New Bedford To Convey Certain Land Acquired for Open Space and Playground Purposes. This motion PASSED on a Roll Call Vote of Yeas 10, Nays 1, with Councillor Morad opposed.

IN COMMITTEE ON CITY PROPERTY

William Brad Markey
Councillor William Brad Markey, Chairman

WBM: dmb

The Commonwealth of Massachusetts

IN THE YEAR TWO THOUSAND TWENTY

AN ACT AUTHORIZING THE CITY OF NEW BEDFORD TO CONVEY CERTAIN LAND ACQUIRED FOR OPEN SPACE AND PLAYGROUND PURPOSES

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Notwithstanding any general, special, or local law to the contrary, but subject to chapter 30B of the General Laws, the city of New Bedford, acting by and through its city council, with the approval of its mayor, may convey a parcel of land currently used as a municipal golf course and acquired by the city in part for open space purposes and in part for playground purposes. The property to be conveyed contains approximately 99.86 acres and is shown as Parcel "B" on a plan entitled "Subdivision Plan, Tax Map 121-1 Lots: 1-8, 37, 45, and 86" prepared by Nitsch Engineering, dated October 7, 2020.

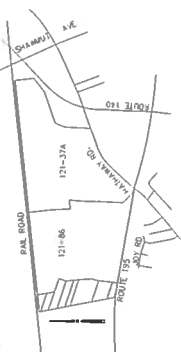
SECTION 2. To ensure a no-net-loss of lands protected for conservation and recreation purposes, and as consideration for the transfer authorized in section 1, the city council, with the approval of the mayor, shall convey a conservation restriction pursuant to sections 31, 32, and 33 of chapter 184 of the General Laws on approximately 156.128 acres of land owned by the city of New Bedford in the town of Dartmouth, which is a portion of an approximately 225.888-acre parcel of land currently used as a rifle range. The land to be subject to the proposed conservation restriction, which shall be held by the Dartmouth Natural Resources Trust, Inc. is shown as "Area with Conservation Restriction" on a plan entitled "Plan of Land for Conservation Restriction, City of New Bedford Rifle Range, Woodcock Road, Dartmouth, MA," prepared by SMC dated January 14, 2020 and revised September 30, 2020. The land currently used as the active portion of the rifle range is an approximately 69.750-acre parcel of land shown as "Rifle Range Parcel" on Sheet 1 of the same plan. The city of New Bedford shall be permitted to indemnify the Dartmouth Natural Resources Trust, Inc. in connection with said conservation restriction. The active rifle range shall be allowed to continue in operation, and that portion of the land shall be open to the public. While the active rifle range is in

operation, the portion of the land subject to the conservation restriction may be open to the public for passive recreation, as appropriate given public safety considerations. In the event the rifle range ceases to be used as a rifle range at any time, the land subject to the conservation restriction shall be open to the public for passive recreation.

SECTION 3. This act shall take effect upon its passage.

LOCUS MAP

SCALE 1"=100'



ZONING REQUIREMENTS

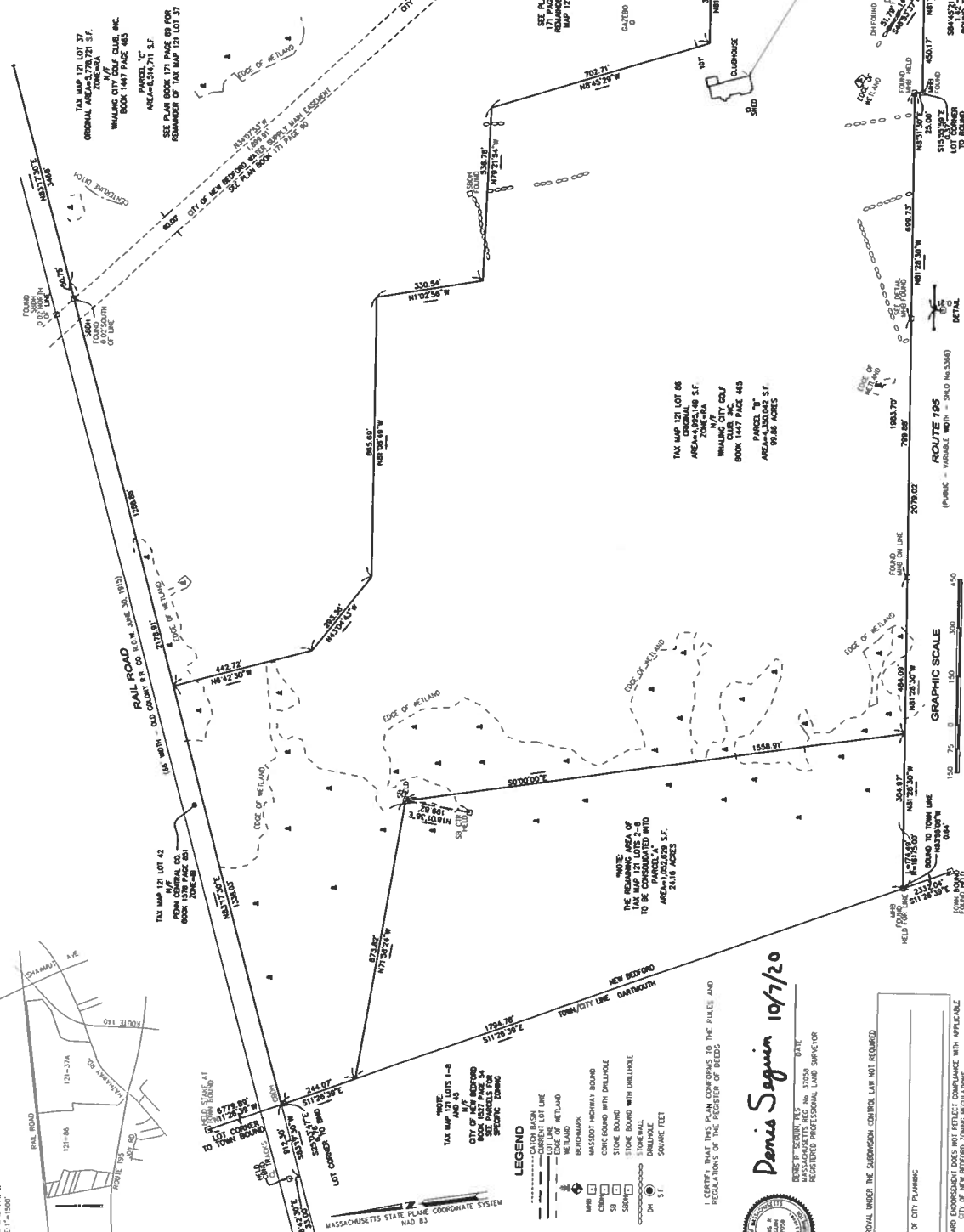
2016-2018 ZONING MAP
MINIMUM LOT SIZE=6000 S.F.
LOT FRONTAGE=75'
FRONT YARD SETBACK=15'
SIDE YARD SETBACK=5'
REAR YARD SETBACK=10'
COMPACTION=30% MAX
GREEN SPACE=30%

NOTES

1. THE PURPOSE OF THIS PLAN IS TO CREATE 3 NEW PARCELS FROM TAX MAP 121 LOTS 1-4, 45, 37, AND 86. THE NEW PARCELS ARE PARCELS "A", "B", AND "C".
2. HORIZONTAL COORDINATES REFER TO MASSACHUSETTS STATE PLAN AND 83 BASED ON 87N GPS OBSERVATIONS
3. METAD DELINEATION IS PROVIDED BY EPSON ASSOCIATES AND WAS CONDUCTED IN 2019. A FIELD CHECK OF THE METAD DELINEATION WAS CONDUCTED ON APRIL 18TH, 2019 AND REVISED SKETCH DATED JUNE 27, 2019 WERE USED FOR METAD DELINEATION.

REFERENCE PLANS AND DEEDS

PLAN BOOK 171 PAGE 89-90
PLAN BOOK 171 PAGE 4
PLAN BOOK 81 PAGE 12
PLAN BOOK 81 PAGE 12
PLAN BOOK 1212 PAGE 54
PLAN BOOK 1212 PAGE 54
MASS 0001 LAND 001 PLAN 84-12.3
MASS 0001 LAND 001 PLAN 84-12.3
MASS 0001 LAND 001 PLAN 84-12.3



APPROVAL UNDER THE SUBDIVISION CONTROL LAW NOT REQUIRED
DIRECTION OF CITY PLANNING
DATE: _____
PLANNING BOARD ENDORSEMENT DOES NOT REFLECT COMPLIANCE WITH APPLICABLE CITY OF NEW BEDFORD ZONING REGULATIONS

www.nitsch-engineering.com
2 Center Plaza, Suite 430
Boston, MA 02108
T: (617) 338-0083
F: (617) 338-8472

PROJ. NO. 12952
FILE 12952.1, 12952.2
DATE NOVEMBER 2019
PROJECT NITSCHE
FIELD BOOK DRS
FIELD BOOK DRS
CORRECTIONS
CHECKED BY: _____
PER: _____

OWNER OF RECORD
HATHAWAY ROAD, NEW BEDFORD, MASSACHUSETTS 02740
131 MILLAM STREET
NEW BEDFORD, MA 02710

SUBDIVISION PLAN
TAX MAP 121-1 LOTS: 1-8, 37, 45, AND 86
HATHAWAY ROAD, NEW BEDFORD, MASSACHUSETTS 02740
PREPARED FOR
MASS DEVELOPMENT
33 ANDREWS PARKWAY, DEVENS, MASSACHUSETTS 01434

SHEET
SUB-1
OF



Denis Seguin 10/7/20
ROBERT T. SEGUIN, P.E.
MASSACHUSETTS REG. NO. 27028
REGISTERED PROFESSIONAL LAND SURVEYOR

I CERTIFY THAT THIS PLAN CONFORMS TO THE RULES AND REGULATIONS OF THE REGISTERED OF DEEDS

LEGEND

- CATCH BASIN
- LOT LINE
- EDGE OF METAD
- METAD
- MASSDOT HIGHWAY BOUNDARY
- CONC. DRIVE WITH DRAINAGE
- STONE BOUND
- STONE BOUND WITH DRAINAGE
- STONE WALL
- DRAINAGE
- SOURCE FEET

NOTE:
TAX MAP 121 LOTS 1-4, 45, 37, AND 86
CITY OF NEW BEDFORD
SEE PARCELS FOR SPECIFIC ZONING

NOTE:
THE REMAINING AREA OF
TAX MAP 121 LOTS 1-4, 45, 37, AND 86
TO BE CONVEYED INTO
PARCEL "A"
AREA=1,020,829 S.F.
24.11 ACRES

TAX MAP 121 LOT 86
AREA=4,851,148 S.F.
111.8 ACRES
WHALING CITY GOLF
COURSE
BOOK 1447 PAGE 465
PARCELS 37
AREA=4,320,042 S.F.
99.86 ACRES

SEE PLAN BOOK
171 PAGE 89-90
REMAINDER OF TAX
MAP 121 LOT 37

TAX MAP 121 LOT 37
ORIGINAL PARCELS 121 S.F.
WHALING CITY GOLF CLUB, INC.
BOOK 1447 PAGE 465
PARCELS "C"
AREA=6,541,711 S.F.
SEE PLAN BOOK 171 PAGE 89 FOR
REMAINDER OF TAX MAP 121 LOT 37

EVYN HANLEY, PLS
ASSACHUSETTS REG NO J1313





Item Title:

REPORT - 5 YR STA AGREEMENT - THE ATLANTIC RED CRAB COMPANY,LLC

Item Detail:

2. REPORT, Committee on Finance, recommending to the City Council ADOPTION of the STA application and Resolution approved by the Tax Increment Financing Board for a five (5) year STA Agreement for ***The Atlantic Red Crab Company, LLC***.

2a. RESOLUTION,

Additional Information:

ATTACHMENTS:

Description	Type
□ REPORT,	Cover Memo
□ RESOLUTION - Atlantic Red Crab Co., LLC	Cover Memo



City of New Bedford
IN COMMITTEE

February 11, 2021

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

Dear Honorable Members of the City Council:

The Committee on Finance at a Meeting held on Monday, February 08, 2021, considered a COMMUNICATION, Derek Santos, Executive Director, New Bedford Economic Development Council, to Council President Lopes and Members of the City Council, submitting two proposed STA applications approved by the Tax Increment Financing Board for a five (5) year Agreement for The Atlantic Red Crab Company LLC and Eastern Fisheries, Inc. and one proposed TIE/HDIP application for 2135 and 319 Commercial Street and 10 Front Street – National Downtown Club LLC. (Copies provided and distributed to all Councillors on December 02, 2020.) (Ref'd 12/09/2020)

On motion by Councillor Lopes and seconded by Councillor Abreu, the Committee VOTED: To recommend to the City Council ADOPTION of the STA application and Resolution approved by the Tax Increment Financing Board for a five (5) year STA Agreement for *The Atlantic Red Crab Company, LLC*. This motion passed on a Roll Call Vote of Yeas 11, Nays 0.

IN COMMITTEE ON FINANCE

Linda M. Morad
Councillor Linda M. Morad, Chairperson

LMM: dmb

**Resolution Approving Certified Project Application and Special Tax Assessment
Agreement with Atlantic Red Crab Company LLC**

Whereas, Atlantic Red Crab Company LLC has applied for designation as a Certified Project under the Massachusetts Economic Development Incentive Program created by Chapter 23A of Massachusetts General Laws; within an Economic Opportunity Area ("EOA") within the New Bedford Economic Target Area ("ETA") for a period of 5 years ending June 30, 2026 pursuant to the authority grandy by and meeting the requirements of 402 C.M.R. 2.10(3).

Whereas, Atlantic Red Crab Company LLC meets the minimum standards and is consistent with the Economic Development Incentive Program and the local economic development goals and criteria established as part of the documents creating the Greater New Bedford Economic Target Areas shall be expected to benefit significantly from inclusion in said ETA:

Whereas, the proposed Certified Project is located at Parcel 66 138A on 48 Antonio L. Costa Blvd. New Bedford, MA and shown on the City of New Bedford's real property assessment database on July 1, 2020;

Whereas, the project, together with all other projects previously certified and located in the same expansion project EOA will not overburden the City's infrastructure and utilities servicing he EOA;

Whereas, the City of New Bedford has agreed to offer Atlantic Red Crab Company I.L.C. a Special Tax Assessment Agreement, for the project described in the application proposal that will have a reasonable chance of increasing employment opportunities for residents of the expansion project area, ETA. Said Agreement is hereby approved by the City Council and the STA Plan is incorporated by reference herein;

Whereas, Atlantic Red Crab Company LLC is going to invest at least \$3,000,000 in the acquisition of the facility, renovations, and other capital expenditures, and will retain 39 permanent full time jobs and create 28 new permanent full time jobs over a period of five years;

Now Therefore be it Resolved that the City Council of the City of New Bedford approves the Certified Project application of Atlantic Red Crab Company LLC and forward said application for certification to the Massachusetts Economic Assistance Coordinating Council for its approval and endorsement.

Further, the City Council of the City of New Bedford authorizes the Mayor to enter into a Special Tax Assessment Agreement between the City of New Bedford and Atlantic Red Crab Company LLC. Said Agreement will provide for an exemption on property taxes on the full assessed valuation of the property at 95% for year one, 75% for year two, 50% for year three, 25% for year four, 5% for year five of a five-year Agreement according to the requirements and regulations established which govern the implementation of such Special Tax Assessment Agreements. The Agreement will be in effect as of FY2022 through FY2026.



Item Title:

REPORT - 5YR TIF AGREEMENT - EASTERN FISHERIES, INC.

Item Detail:

3. REPORT, Committee on Finance, recommending to the City Council ADOPTION of the STA and Resolution approved by the Tax Increment Financing Board for a five (5) year Agreement for ***Eastern Fisheries, Inc.***

3a. RESOLUTION,

Additional Information:

ATTACHMENTS:

Description	Type
□ REPORT, COMMITTEE ON FINANCE,	Cover Memo
□ RESOLUTION - Eastern Fisheries, Inc.	Cover Memo



City of New Bedford
IN COMMITTEE

February 11, 2021

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

Dear Honorable Members of the City Council:

The Committee on Finance at a Meeting held on Monday, February 08, 2021, considered a COMMUNICATION, Derek Santos, Executive Director, New Bedford Economic Development Council, to Council President Lopes and Members of the City Council, submitting two proposed STA applications approved by the Tax Increment Financing Board for a five (5) year Agreement for The Atlantic Red Crab Company LLC and Eastern Fisheries, Inc. and one proposed TIE/HDIP application for 2135 and 319 Commercial Street and 10 Front Street – National Downtown Club LLC. (Copies provided and distributed to all Councillors on December 02, 2020.) (Ref'd 12/09/2020)

On motion by Councillor Lopes and seconded by Councillor Abreu, the Committee VOTED: To recommend to the City Council ADOPTION of the STA and Resolution approved by the Tax Increment Financing Board for a five (5) year Agreement for *Eastern Fisheries, Inc.* This motion passed on a Roll Call Vote of Yeas 11, Nays 0.

IN COMMITTEE ON FINANCE

Linda M. Morad
Councillor Linda M. Morad, Chairperson

LMM: dmb

**Resolution Approving Certified Project Application and Special Tax Assessment
Agreement with Eastern Fisheries, Inc.**

Whereas, Eastern Fisheries Inc., have applied for designation as a Certified Project under the Massachusetts Economic Development Incentive Program created by Chapter 23A of Massachusetts General Laws; within an Economic Opportunity Area ("EOA") within the New Bedford Economic Target Area ("ETA") for a period of 5 years ending June 30, 2026 pursuant to the authority grandy by and meeting the requirements of 402 C.M.R. 2.10(3).

Whereas, Eastern Fisheries Inc., meet the minimum standards and is consistent with the Economic Development Incentive Program and the local economic development goals and criteria established as part of the documents creating the Greater New Bedford Economic Target Areas shall be expected to benefit significantly from inclusion in said ETA:

Whereas, the proposed Certified Project is located at Parcel 133 55 on 214 Samuel Barnet Blvd. New Bedford, MA and shown on the City of New Bedford's real property assessment database on July 1, 2020;

Whereas, the project, together with all other projects previously certified and located in the same expansion project EOA will not overburden the City's infrastructure and utilities servicing he EOA;

Whereas, the City of New Bedford has agreed to offer Eastern Fisheries Inc., a Special Tax Assessment Agreement, for the project described in the application proposal that will have a reasonable chance of increasing employment opportunities for residents of the expansion project area, ETA. Said Agreement is hereby approved by the City Council and the STA Plan is incorporated by reference herein;

Whereas, Eastern Fisheries Inc., is going to invest at least \$13,000,000 in the acquisition of the facility, renovations and other capital expenditures, and will retain 275 permanent full time jobs and create 50 new permanent full time jobs over a period of five years;

Now Therefore be it Resolved that the City Council of the City of New Bedford approves the Certified Project application of Eastern Fisheries Inc., and forward said application for certification to the Massachusetts Economic Assistance Coordinating Council for its approval and endorsement.

Further, the City Council of the City of New Bedford authorizes the Mayor to enter into a Special Tax Assessment Agreement between the City of New Bedford and Eastern Fisheries Inc.,. Said Agreement will provide for an exemption on property taxes on the full assessed valuation of the property at 100% for year one, 75% for year two, 50% for year three, 25% for year four, 5% for year five of a five-year Agreement according to the requirements and regulations established which govern the implementation of such Special Tax Assessment Agreements. The Agreement will be in effect as of FY2022 through FY2026.



Item Title:

REPORT - TAX INCREMENT EXEMPTION/HOUSING DEVELOPMENT INCENTIVE
PROGRAM - NATIONAL DOWNTOWN CLUB LLC

Item Detail:

5. REPORT, Committee on Finance, recommending to the City Council ACCEPTANCE of the TAX INCREMENT EXEMPTION/HOUSING DEVELOPMENT INCENTIVE PROGRAM for the *National Downtown Club LLC* 2135 and 319 Commercial Street and 10 Front Street.

5a. RESOLUTION,

Additional Information:

ATTACHMENTS:

Description	Type
□ REPORT, COMMITTEE ON FINANCE,	Cover Memo
□ National Downtown Club, LLC Housing Development Incentive Program	Cover Memo



City of New Bedford
IN COMMITTEE

February 11, 2021

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

Dear Honorable Members of the City Council:

The Committee on Finance at a Meeting held on Monday, February 08, 2021, considered a COMMUNICATION, Derek Santos, Executive Director, New Bedford Economic Development Council, to Council President Lopes and Members of the City Council, submitting two proposed STA applications approved by the Tax Increment Financing Board for a five (5) year Agreement for The Atlantic Red Crab Company LLC and Eastern Fisheries, Inc. and one proposed TIE/HDIP application for 2135 and 319 Commercial Street and 10 Front Street – National Downtown Club LLC. (Copies provided and distributed to all Councillors on December 02, 2020.) (Ref'd 12/09/2020)

On motion by Councillor Lopes and seconded by Councillor Markey, the Committee VOTED: To recommend to the City Council ACCEPTANCE of the TAX INCREMENT EXEMPTION/HOUSING DEVELOPMENT INCENTIVE PROGRAM for the National Downtown Club LLC 2135 and 319 Commercial Street and 10 Front Street. This motion passed on a Roll Call Vote of Yeas 11, Nays 0.

IN COMMITTEE ON FINANCE

Linda M. Morad

Councillor Linda M. Morad, Chairperson

LMM: dmb



City of New Bedford, Massachusetts

Office of Housing & Community Development

Patrick J. Sullivan, Director

HOUSING DEVELOPMENT INCENTIVE PROGRAM

The City of New Bedford is seeking to expand residential development within its downtown business district by creating an incentive zone utilizing the newly developed program offered through the state of Massachusetts Department of Housing and Community Development.

The Housing Development Incentive Program (HDIP), established as M.G.L., Chapter 40V, provides Gateway Cities with a development tool to increase residential growth, expand diversity of housing stock, support economic development, and promote neighborhood stabilization in designated geographic target areas.

The program provides two tax incentives to developers to undertake substantial rehabilitation of properties for lease or sale as multi-unit market rate housing:

- 1) A local-option tax exemption on increased property values
- 2) A State tax credit of up to 10 percent of qualified rehabilitation costs.

Project Specifics:

Substantial rehabilitation of an existing property resulting in:

- Two or more units for sale or lease as market rate housing
- Minimum of 80% of total units as market rate
- One or more buildings on one or more contiguous parcels of land permitted and financed as single undertaking. May be mixed-use, including commercial
- No restrictions on size of HD Projects
- Must be substantial rehabilitation of an existing property

HD Tax Increment Exemption Agreement authorizes annual exemption from local property tax

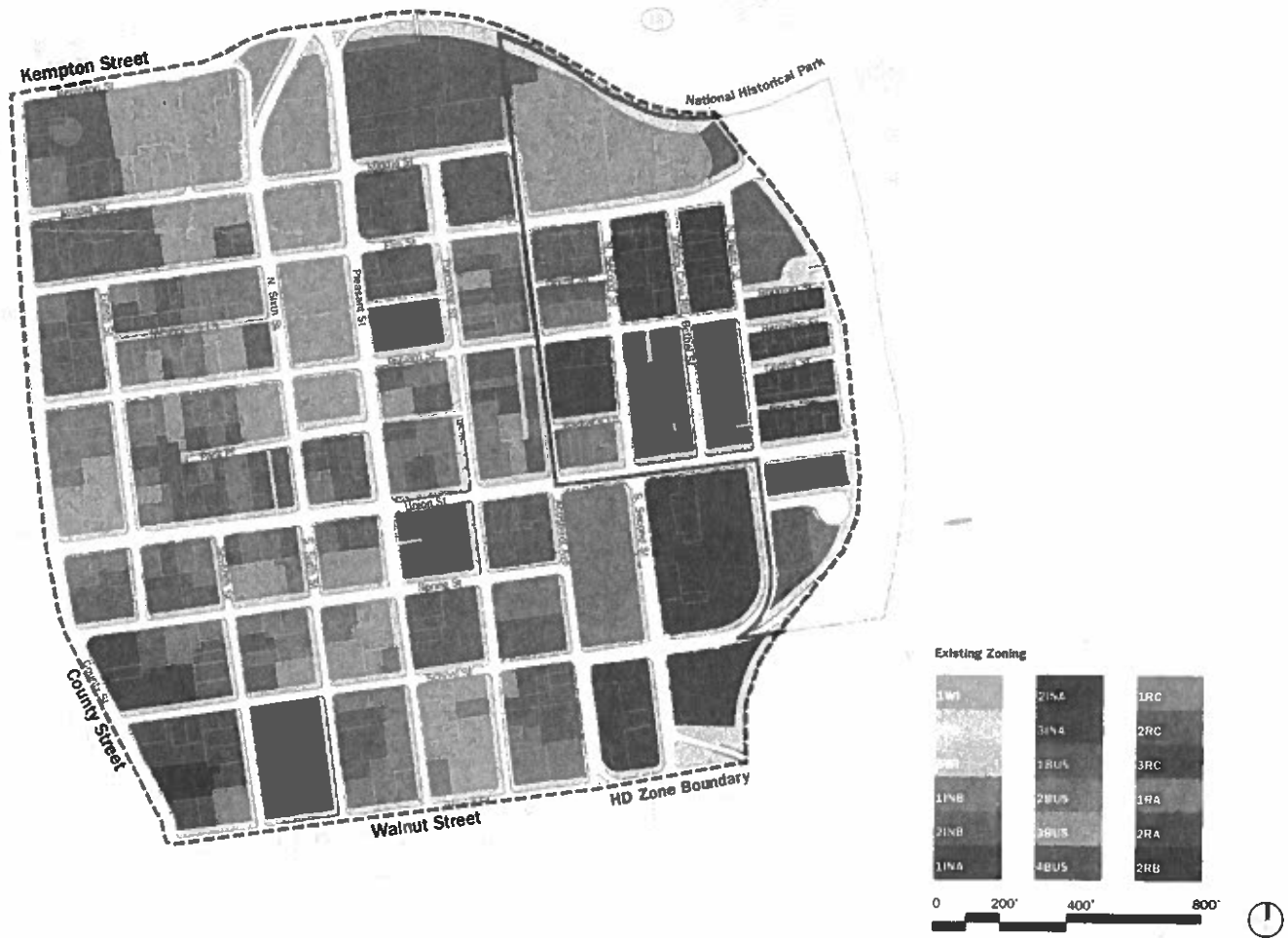
- Exemption percentage of 10-100% of incremental value of market rate units
- % may vary among HD Projects
- % may change from year-to-year for individual HD Projects
- Duration of Agreement 5-20 years
- Effective as of the 1st fiscal year following DHCD's certification of HD Project and approval of Agreement
- DHCD will also approve Agreements for HD Projects not seeking/not awarded HD Tax Credits

State Investment Tax Credit up to 10% of qualified substantial rehabilitation costs of market rate units

- Credit of up to \$2M for individual HD Projects
- Credit allowed in taxable year in which project completed and certified by DHCD
- Credit is transferable and can be carried forward for up to 5 years
- Total annual program cap of \$10M

HOUSING DEVELOPMENT INCENTIVE PROGRAM

The City's HD Zone constitutes the core of New Bedford's downtown. It is bounded on the east by Route 18; on the south by Walnut Street; on the west by County Street; and on the north by Kempton Street.





Item Title:

LOAN ORDER - CAMPBELL SCHOOL STUDY - FEASIBILITY STUDY

Item Detail:

5. LOAN ORDER, appropriating \$150,000,00, for the purpose of paying costs of a schematic design/feasibility study for the proposed accelerated repairs consisting of the potential replacement of the windows, doors and boiler, including the payment of all costs incidental or related thereto at the Elwyn G. Campbell School located at 145 Essex Street. (Passed to a Second Reading - January 14, 2021.)

Additional Information:

ATTACHMENTS:

Description	Type
LOAN ORDER,	Cover Memo



CITY OF NEW BEDFORD

CITY COUNCIL

January 14, 2021

A BOND ORDER TO PAY COSTS OF A SCHEMATIC DESIGN/FEASIBILITY STUDY AS REQUIRED BY THE MASSACHUSETTS SCHOOL BUILDING AUTHORITY WITH RESPECT TO THE PROPOSED ACCELERATED REPAIRS TO THE ELWYN G. CAMPBELL SCHOOL

BE IT ORDERED, BY THE CITY COUNCIL OF THE CITY OF NEW BEDFORD AS FOLLOWS:

That the City appropriates the amount of One Hundred Fifty Thousand Dollars (\$150,000) for the purpose of paying costs of a schematic design/feasibility study for the proposed accelerated repairs consisting of the potential replacement of the windows, doors and boiler, including the payment of all costs incidental or related thereto (the "Project"), at the Elwyn G. Campbell School, located at 145 Essex Street in New Bedford, and for which study the City may be eligible for a grant from the Massachusetts School Building Authority ("MSBA"), said amount to be expended under the direction of the School Committee. To meet this appropriation, the Treasurer, with the approval of the Mayor, is authorized to borrow said sum of money, pursuant to M.G.L. Chapter 44, or pursuant to any other enabling authority. The City acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any Project costs the City incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the City, and that the amount of borrowing authorized pursuant to this order shall be reduced by any grant amount set forth in the Feasibility Study Agreement that may be executed between the City and the MSBA.

FURTHER ORDERED: That any premium received by the City upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

FURTHER ORDERED: That the Treasurer is authorized to file an application with the appropriate officials of The Commonwealth of Massachusetts (the Commonwealth) to qualify under Chapter 44A of the General Laws any and all bonds of the City authorized by this Order, and to provide such information and execute such documents as such officials of the Commonwealth may require in connection therewith.



Item Title:

WRITTEN MOTION - HONORING MAYOR FREDERICK M. KALISZ, JR.

Item Detail:

6. WRITTEN MOTION, Councillors Giesta, Abreu, Carney, Gomes, Lima, Morad and Markey, requesting, that the City Council, through its' Special Committee on Memorials and Dedications, work closely with the New Bedford School Committee and City administration to properly honor and celebrate the life, public service and achievements of the late Mayor Frederick M. Kalisz, Jr., LPD, with specific consideration given to re-dedicating one of the three New Bedford Middle Schools in Mayor Kalisz's name due to these schools being the first new City school buildings to be successfully constructed in almost 30 years as a result of the unrelenting leadership and guidance of Mayor Kalisz, who charted a course of action with the goal of improving the quality of education for every New Bedford student and succeeded in reaching this goal which now stands as an important part of our City's history and a remarkable achievement; and whereby it would be a fitting way for New Bedford to honor the life, public service, memory and legacy of its' leader in that historic endeavor by re-dedicating one of these schools in the name of Frederick M. Kalisz, Jr. (To be Referred to the Special Committee on Memorials and Dedications.)

Additional Information:



Item Title:

WRITTEN MOTION - WATER PRESSURE ISSUES IN THE FAR NORTH END

Item Detail:

7. WRITTEN MOTION, Councillor Markey, requesting that DPI Commissioner Jamie Ponte and CFO Ari Sky appear before the Committee of Infrastructure and Redevelopment to discuss the low water pressure issues in the Far North End. (To be Referred to the Committee on Infrastructure and Redevelopment.)

Additional Information:



Item Title:

COMMUNICATION - APPRAISAL SUMMARIES INFRASTRUCTURE IMPROVEMENTS -
INTERSECTION ROCKDALE AVENUE & ALLEN STREET

Item Detail:

8. COMMUNICATION, Jane Medeiros Friedman, First Assistant City Solicitor to City Council, submitting eleven (11) appraisal summaries for the proposed Infrastructure Improvements at the intersection of Rockdale Avenue and Allen Street.

8a. APPRAISAL SUMMARIES, prepared by Bernard P. Giroux, ASA, MRA for the proposed Infrastructure Improvements at the intersection of Rockdale Avenue and Allen Street.

Additional Information:

ATTACHMENTS:

Description	Type
▣ APPRAISAL SUMMARIES	Cover Memo



City of New Bedford
OFFICE OF THE CITY SOLICITOR

MIKAELA A. McDERMOTT
City Solicitor

JANE MEDEIROS FRIEDMAN
First Assistant City Solicitor

ERIC JAIKES
KREG R. ESPINOLA
Assistant City Solicitors

JOHN E. FLOR
ELIZABETH LYDON
ELIZABETH McNAMARA
ELIZABETH TREADUP PIO
Associate City Solicitors

February 4, 2021

City Council President Joseph P. Lopes
Honorable Members of the City Council
Municipal Building
133 William Street
New Bedford, MA 02740

RE: Infrastructure Improvements at the Intersection of Rockdale Avenue and Allen Street

Dear Council President Lopes and Members of the City Council:

In accordance with your order, approved December 2, 2020, please find the appraisal summaries, for the proposed Infrastructure Improvements at the Intersection of Rockdale Avenue and Allen Street, prepared by Bernard P. Giroux, ASA, MRA, and obtained in accordance with the provisions of M.G.L. chapter 79, section 7A.

Very truly yours,

Jane Medeiros Friedman
Jane Medeiros Friedman
First Assistant City Solicitor

cc: Jamie Ponte, DPI Commissioner

CITY: New Bedford
OWNER: Lino Cabral
PROJECT NO.: 608536
PROJECT: Rockdale Avenue and Allen Street

PARCEL NO.(S): TE-1

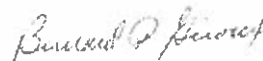
STATEMENT OF THE REVIEW APPRAISER

I, Bernard P. Giroux, as Review Appraiser, hereby certify:

- (1) The Review Appraiser has determined that **\$1,100** is a reasonable measure of Market Value and/or damages. The Review Appraiser recommends the acceptance and approval of this appraisal under review as the basis for the establishment of the amount believed to be just compensation. This determination is based upon all competent information that is available including the appraisal(s) and data submitted by Donald S. Welinsky, MAI as well as the review appraiser's own observations and calculations. The appraisals and reviews for this project were based on plans dated November 19, 2020 by CDM Smith and survey plans dated September 23, 2020 by Chappell Engineering Associates.
- (2) The Review Appraiser understands that the above-stated determination of Market Value and/or damages is to be used in connection with a Federal Aid Project.
- (3) The Review Appraiser acknowledges the following checked statement(s):
 - (x) A visual inspection of the parcel(s) to be acquired, and the comparable sales relating thereto, was made by the Review Appraiser.
 - (x) The Review Appraiser is familiar with the project, and the area, from a recent visit.
- (4) That I have no direct or indirect present, or contemplated future, personal interest in such property, or in any benefit from the acquisition of such property herein appraised; that I, my immediate family or partner, or any business organization in which I am serving as an officer, director, trustee, partner, or employee, or any person or organization with whom I am negotiating or have any arrangement concerning prospective employment, did not perform, in whole or in part, this review appraisal, and do not have a financial interest in the property which is herein appraised; that I have read the provisions of M.G.L. c. 268A, S. 23, a copy of which is attached to and made a part of this review appraisal report; and that, to the best of my knowledge, in carrying out this appraisal assignment, I have not violated the standards of conduct set forth in said section 23.
- (5) The Review Appraiser's determination has been reached independently, based on appraisals or other factual data of record, without collaboration or direction.
- (6) That the Review Appraiser's determination of Market Value and/or damages included only items, which are compensable under State law, and are eligible for Federal reimbursement as herein noted.

Date: December 31, 2020

Review Appraiser:



Bernard P. Giroux, ASA, MRA
MA Certified Gen. Appraiser No. 2990

CITY: New Bedford
OWNER: Richard J. Silva, Attn: 7-Eleven Licensing
PROJECT NO.: 608536
PROJECT: Rockdale Avenue and Allen Street

PARCEL NO.(S): TE-2 U-1

STATEMENT OF THE REVIEW APPRAISER

I, Bernard P. Giroux, as Review Appraiser, hereby certify:

- (1) The Review Appraiser has determined that **\$6,000** is a reasonable measure of Market Value and/or damages. The Review Appraiser recommends the acceptance and approval of this appraisal under review as the basis for the establishment of the amount believed to be just compensation. This determination is based upon all competent information that is available including the appraisal(s) and data submitted by Donald S. Welinsky, MAI as well as the review appraiser's own observations and calculations. The appraisals and reviews for this project were based on plans dated November 19, 2020 by CDM Smith and survey plans dated September 23, 2020 by Chappell Engineering Associates.
- (2) The Review Appraiser understands that the above-stated determination of Market Value and/or damages is to be used in connection with a Federal Aid Project.
- (3) The Review Appraiser acknowledges the following checked statement(s):
 - (x) A visual inspection of the parcel(s) to be acquired, and the comparable sales relating thereto, was made by the Review Appraiser.
 - (x) The Review Appraiser is familiar with the project, and the area, from a recent visit.
- (4) That I have no direct or indirect present, or contemplated future, personal interest in such property, or in any benefit from the acquisition of such property herein appraised; that I, my immediate family or partner, or any business organization in which I am serving as an officer, director, trustee, partner, or employee, or any person or organization with whom I am negotiating or have any arrangement concerning prospective employment, did not perform, in whole or in part, this review appraisal, and do not have a financial interest in the property which is herein appraised; that I have read the provisions of M.G.L. c. 268A, S. 23, a copy of which is attached to and made a part of this review appraisal report; and that, to the best of my knowledge, in carrying out this appraisal assignment, I have not violated the standards of conduct set forth in said section 23.
- (5) The Review Appraiser's determination has been reached independently, based on appraisals or other factual data of record, without collaboration or direction.
- (6) That the Review Appraiser's determination of Market Value and/or damages included only items, which are compensable under State law, and are eligible for Federal reimbursement as herein noted.

Date: December 31, 2020

Review Appraiser:



Bernard P. Giroux, ASA, MRA
MA Certified Gen. Appraiser No. 2990

CITY: New Bedford
OWNER: Taunton Federal Credit Union
PROJECT NO.: 608536
PROJECT: Rockdale Avenue and Allen Street

PARCEL NO.(S): TE-3 SW-1

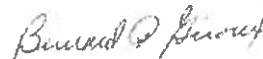
STATEMENT OF THE REVIEW APPRAISER

I, Bernard P. Giroux, as Review Appraiser, hereby certify:

- (1) The Review Appraiser has determined that **\$2,300** is a reasonable measure of Market Value and/or damages. The Review Appraiser recommends the acceptance and approval of this appraisal under review as the basis for the establishment of the amount believed to be just compensation. This determination is based upon all competent information that is available including the appraisal(s) and data submitted by Donald S. Welinsky, MAI as well as the review appraiser's own observations and calculations. The appraisals and reviews for this project were based on plans dated November 19, 2020 by CDM Smith and survey plans dated September 23, 2020 by Chappell Engineering Associates.
- (2) The Review Appraiser understands that the above-stated determination of Market Value and/or damages is to be used in connection with a Federal Aid Project.
- (3) The Review Appraiser acknowledges the following checked statement(s):
 - (x) A visual inspection of the parcel(s) to be acquired, and the comparable sales relating thereto, was made by the Review Appraiser.
 - (x) The Review Appraiser is familiar with the project, and the area, from a recent visit.
- (4) That I have no direct or indirect present, or contemplated future, personal interest in such property, or in any benefit from the acquisition of such property herein appraised; that I, my immediate family or partner, or any business organization in which I am serving as an officer, director, trustee, partner, or employee, or any person or organization with whom I am negotiating or have any arrangement concerning prospective employment, did not perform, in whole or in part, this review appraisal, and do not have a financial interest in the property which is herein appraised; that I have read the provisions of M.G.L. c. 268A, S. 23, a copy of which is attached to and made a part of this review appraisal report; and that, to the best of my knowledge, in carrying out this appraisal assignment, I have not violated the standards of conduct set forth in said section 23.
- (5) The Review Appraiser's determination has been reached independently, based on appraisals or other factual data of record, without collaboration or direction.
- (6) That the Review Appraiser's determination of Market Value and/or damages included only items, which are compensable under State law, and are eligible for Federal reimbursement as herein noted.

Date: December 31, 2020

Review Appraiser:



Bernard P. Giroux, ASA, MRA
MA Certified Gen. Appraiser No. 2990

CITY: New Bedford
OWNER: Lisa M. Carvalho
PROJECT NO.: 608536
PROJECT: Rockdale Avenue and Allen Street

PARCEL NO.(S): TE-4

STATEMENT OF THE REVIEW APPRAISER

I, Bernard P. Giroux, as Review Appraiser, hereby certify:

- (1) The Review Appraiser has determined that **Nominal \$300** is a reasonable measure of Market Value and/or damages. The Review Appraiser recommends the acceptance and approval of this appraisal under review as the basis for the establishment of the amount believed to be just compensation. This determination is based upon all competent information that is available including the appraisal(s) and data submitted by Donald S. Welinsky, MAI as well as the review appraiser's own observations and calculations. The appraisals and reviews for this project were based on plans dated November 19, 2020 by CDM Smith and survey plans dated September 23, 2020 by Chappell Engineering Associates.
- (2) The Review Appraiser understands that the above-stated determination of Market Value and/or damages is to be used in connection with a Federal Aid Project.
- (3) The Review Appraiser acknowledges the following checked statement(s):
 - (x) A visual inspection of the parcel(s) to be acquired, and the comparable sales relating thereto, was made by the Review Appraiser.
 - (x) The Review Appraiser is familiar with the project, and the area, from a recent visit.
- (4) That I have no direct or indirect present, or contemplated future, personal interest in such property, or in any benefit from the acquisition of such property herein appraised; that I, my immediate family or partner, or any business organization in which I am serving as an officer, director, trustee, partner, or employee, or any person or organization with whom I am negotiating or have any arrangement concerning prospective employment, did not perform, in whole or in part, this review appraisal, and do not have a financial interest in the property which is herein appraised; that I have read the provisions of M.G.L. c. 268A, S. 23, a copy of which is attached to and made a part of this review appraisal report; and that, to the best of my knowledge, in carrying out this appraisal assignment, I have not violated the standards of conduct set forth in said section 23.
- (5) The Review Appraiser's determination has been reached independently, based on appraisals or other factual data of record, without collaboration or direction.
- (6) That the Review Appraiser's determination of Market Value and/or damages included only items, which are compensable under State law, and are eligible for Federal reimbursement as herein noted.

Date: December 31, 2020

Review Appraiser:



Bernard P. Giroux, ASA, MRA
MA Certified Gen. Appraiser No. 2990

CITY: New Bedford
OWNER: 499 Rockdale Avenue, LLC.
PROJECT NO.: 608536
PROJECT: Rockdale Avenue and Allen Street

PARCEL NO.(S): TE-5

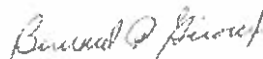
STATEMENT OF THE REVIEW APPRAISER

I, Bernard P. Giroux, as Review Appraiser, hereby certify:

- (1) The Review Appraiser has determined that **\$1,700** is a reasonable measure of Market Value and/or damages. The Review Appraiser recommends the acceptance and approval of this appraisal under review as the basis for the establishment of the amount believed to be just compensation. This determination is based upon all competent information that is available including the appraisal(s) and data submitted by Donald S. Welinsky, MAI as well as the review appraiser's own observations and calculations. The appraisals and reviews for this project were based on plans dated November 19, 2020 by CDM Smith and survey plans dated September 23, 2020 by Chappell Engineering Associates.
- (2) The Review Appraiser understands that the above-stated determination of Market Value and/or damages is to be used in connection with a Federal Aid Project.
- (3) The Review Appraiser acknowledges the following checked statement(s):
 - (x) A visual inspection of the parcel(s) to be acquired, and the comparable sales relating thereto, was made by the Review Appraiser.
 - (x) The Review Appraiser is familiar with the project, and the area, from a recent visit.
- (4) That I have no direct or indirect present, or contemplated future, personal interest in such property, or in any benefit from the acquisition of such property herein appraised; that I, my immediate family or partner, or any business organization in which I am serving as an officer, director, trustee, partner, or employee, or any person or organization with whom I am negotiating or have any arrangement concerning prospective employment, did not perform, in whole or in part, this review appraisal, and do not have a financial interest in the property which is herein appraised; that I have read the provisions of M.G.L. c. 268A, S. 23, a copy of which is attached to and made a part of this review appraisal report; and that, to the best of my knowledge, in carrying out this appraisal assignment, I have not violated the standards of conduct set forth in said section 23.
- (5) The Review Appraiser's determination has been reached independently, based on appraisals or other factual data of record, without collaboration or direction.
- (6) That the Review Appraiser's determination of Market Value and/or damages included only items, which are compensable under State law, and are eligible for Federal reimbursement as herein noted.

Date: December 31, 2020

Review Appraiser:



Bernard P. Giroux, ASA, MRA
MA Certified Gen. Appraiser No. 2990

CITY: New Bedford
OWNER: Allen P. & Joan T. Gomes
PROJECT NO.: 608536
PROJECT: Rockdale Avenue and Allen Street

PARCEL NO.(S): TE-6 TE-7A

STATEMENT OF THE REVIEW APPRAISER

I, Bernard P. Giroux, as Review Appraiser, hereby certify:

- (1) The Review Appraiser has determined that \$400 is a reasonable measure of Market Value and/or damages. The Review Appraiser recommends the acceptance and approval of this appraisal under review as the basis for the establishment of the amount believed to be just compensation. This determination is based upon all competent information that is available including the appraisal(s) and data submitted by Donald S. Welinsky, MAI as well as the review appraiser's own observations and calculations. The appraisals and reviews for this project were based on plans dated November 19, 2020 by CDM Smith and survey plans dated September 23, 2020 by Chappell Engineering Associates.
- (2) The Review Appraiser understands that the above-stated determination of Market Value and/or damages is to be used in connection with a Federal Aid Project.
- (3) The Review Appraiser acknowledges the following checked statement(s):
 - (x) A visual inspection of the parcel(s) to be acquired, and the comparable sales relating thereto, was made by the Review Appraiser.
 - (x) The Review Appraiser is familiar with the project, and the area, from a recent visit.
- (4) That I have no direct or indirect present, or contemplated future, personal interest in such property, or in any benefit from the acquisition of such property herein appraised; that I, my immediate family or partner, or any business organization in which I am serving as an officer, director, trustee, partner, or employee, or any person or organization with whom I am negotiating or have any arrangement concerning prospective employment, did not perform, in whole or in part, this review appraisal, and do not have a financial interest in the property which is herein appraised; that I have read the provisions of M.G.L. c. 268A, S. 23, a copy of which is attached to and made a part of this review appraisal report; and that, to the best of my knowledge, in carrying out this appraisal assignment, I have not violated the standards of conduct set forth in said section 23.
- (5) The Review Appraiser's determination has been reached independently, based on appraisals or other factual data of record, without collaboration or direction.
- (6) That the Review Appraiser's determination of Market Value and/or damages included only items, which are compensable under State law, and are eligible for Federal reimbursement as herein noted.

Date: December 31, 2020

Review Appraiser:



Bernard P. Giroux, ASA, MRA
MA Certified Gen. Appraiser No. 2990

CITY: New Bedford
OWNER: Birgit Rasmussen, Trustee of The Birgit Rasmussen Trust
PROJECT NO.: 608536
PROJECT: Rockdale Avenue and Allen Street

PARCEL NO.(S): TE-7B TE-7C

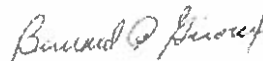
STATEMENT OF THE REVIEW APPRAISER

I, Bernard P. Giroux, as Review Appraiser, hereby certify:

- (1) The Review Appraiser has determined that \$500 is a reasonable measure of Market Value and/or damages. The Review Appraiser recommends the acceptance and approval of this appraisal under review as the basis for the establishment of the amount believed to be just compensation. This determination is based upon all competent information that is available including the appraisal(s) and data submitted by Donald S. Welinsky, MAI as well as the review appraiser's own observations and calculations. The appraisals and reviews for this project were based on plans dated November 19, 2020 by CDM Smith and survey plans dated September 23, 2020 by Chappell Engineering Associates.
- (2) The Review Appraiser understands that the above-stated determination of Market Value and/or damages is to be used in connection with a Federal Aid Project.
- (3) The Review Appraiser acknowledges the following checked statement(s):
 - (x) A visual inspection of the parcel(s) to be acquired, and the comparable sales relating thereto, was made by the Review Appraiser.
 - (x) The Review Appraiser is familiar with the project, and the area, from a recent visit.
- (4) That I have no direct or indirect present, or contemplated future, personal interest in such property, or in any benefit from the acquisition of such property herein appraised; that I, my immediate family or partner, or any business organization in which I am serving as an officer, director, trustee, partner, or employee, or any person or organization with whom I am negotiating or have any arrangement concerning prospective employment, did not perform, in whole or in part, this review appraisal, and do not have a financial interest in the property which is herein appraised; that I have read the provisions of M.G.L. c. 268A, S. 23, a copy of which is attached to and made a part of this review appraisal report; and that, to the best of my knowledge, in carrying out this appraisal assignment, I have not violated the standards of conduct set forth in said section 23.
- (5) The Review Appraiser's determination has been reached independently, based on appraisals or other factual data of record, without collaboration or direction.
- (6) That the Review Appraiser's determination of Market Value and/or damages included only items, which are compensable under State law, and are eligible for Federal reimbursement as herein noted.

Date: December 31, 2020

Review Appraiser:



Bernard P. Giroux, ASA, MRA
MA Certified Gen. Appraiser No. 2990

CITY: New Bedford
OWNER: Thomas F. Frizzell, Jr. & Susie M. Frizzell
PROJECT NO.: 608536
PROJECT: Rockdale Avenue and Allen Street

PARCEL NO.(S): TE-8

STATEMENT OF THE REVIEW APPRAISER

I, Bernard P. Giroux, as Review Appraiser, hereby certify:

- (1) The Review Appraiser has determined that \$300 is a reasonable measure of Market Value and/or damages. The Review Appraiser recommends the acceptance and approval of this appraisal under review as the basis for the establishment of the amount believed to be just compensation. This determination is based upon all competent information that is available including the appraisal(s) and data submitted by Donald S. Welinsky, MAI as well as the review appraiser's own observations and calculations. The appraisals and reviews for this project were based on plans dated November 19, 2020 by CDM Smith and survey plans dated September 23, 2020 by Chappell Engineering Associates.
- (2) The Review Appraiser understands that the above-stated determination of Market Value and/or damages is to be used in connection with a Federal Aid Project.
- (3) The Review Appraiser acknowledges the following checked statement(s):
 - (x) A visual inspection of the parcel(s) to be acquired, and the comparable sales relating thereto, was made by the Review Appraiser.
 - (x) The Review Appraiser is familiar with the project, and the area, from a recent visit.
- (4) That I have no direct or indirect present, or contemplated future, personal interest in such property, or in any benefit from the acquisition of such property herein appraised; that I, my immediate family or partner, or any business organization in which I am serving as an officer, director, trustee, partner, or employee, or any person or organization with whom I am negotiating or have any arrangement concerning prospective employment, did not perform, in whole or in part, this review appraisal, and do not have a financial interest in the property which is herein appraised; that I have read the provisions of M.G.L. c. 268A, S. 23, a copy of which is attached to and made a part of this review appraisal report; and that, to the best of my knowledge, in carrying out this appraisal assignment, I have not violated the standards of conduct set forth in said section 23.
- (5) The Review Appraiser's determination has been reached independently, based on appraisals or other factual data of record, without collaboration or direction.
- (6) That the Review Appraiser's determination of Market Value and/or damages included only items, which are compensable under State law, and are eligible for Federal reimbursement as herein noted.

Date: December 31, 2020

Review Appraiser:



Bernard P. Giroux, ASA, MRA
MA Certified Gen. Appraiser No. 2990

CITY: New Bedford
OWNER: Stephen Bullock & Deborah Pepin Bullock
PROJECT NO.: 608536
PROJECT: Rockdale Avenue and Allen Street

PARCEL NO.(S): TE-9

STATEMENT OF THE REVIEW APPRAISER

I, Bernard P. Giroux, as Review Appraiser, hereby certify:

- (1) The Review Appraiser has determined that \$300 is a reasonable measure of Market Value and/or damages. The Review Appraiser recommends the acceptance and approval of this appraisal under review as the basis for the establishment of the amount believed to be just compensation. This determination is based upon all competent information that is available including the appraisal(s) and data submitted by Donald S. Welinsky, MAI as well as the review appraiser's own observations and calculations. The appraisals and reviews for this project were based on plans dated November 19, 2020 by CDM Smith and survey plans dated September 23, 2020 by Chappell Engineering Associates.
- (2) The Review Appraiser understands that the above-stated determination of Market Value and/or damages is to be used in connection with a Federal Aid Project.
- (3) The Review Appraiser acknowledges the following checked statement(s):
 - (x) A visual inspection of the parcel(s) to be acquired, and the comparable sales relating thereto, was made by the Review Appraiser.
 - (x) The Review Appraiser is familiar with the project, and the area, from a recent visit.
- (4) That I have no direct or indirect present, or contemplated future, personal interest in such property, or in any benefit from the acquisition of such property herein appraised; that I, my immediate family or partner, or any business organization in which I am serving as an officer, director, trustee, partner, or employee, or any person or organization with whom I am negotiating or have any arrangement concerning prospective employment, did not perform, in whole or in part, this review appraisal, and do not have a financial interest in the property which is herein appraised; that I have read the provisions of M.G.L. c. 268A, S. 23, a copy of which is attached to and made a part of this review appraisal report; and that, to the best of my knowledge, in carrying out this appraisal assignment, I have not violated the standards of conduct set forth in said section 23.
- (5) The Review Appraiser's determination has been reached independently, based on appraisals or other factual data of record, without collaboration or direction.
- (6) That the Review Appraiser's determination of Market Value and/or damages included only items, which are compensable under State law, and are eligible for Federal reimbursement as herein noted.

Date: December 31, 2020

Review Appraiser:



Bernard P. Giroux, ASA, MRA
MA Certified Gen. Appraiser No. 2990

CITY: New Bedford
OWNER: Compass Bank for Savings, c/o Santander Bank / Lease ADM
PROJECT NO.: 608536
PROJECT: Rockdale Avenue and Allen Street

PARCEL NO.(S): TE-10A SW-2

STATEMENT OF THE REVIEW APPRAISER

I, Bernard P. Giroux, as Review Appraiser, hereby certify:

- (1) The Review Appraiser has determined that **\$2,900** is a reasonable measure of Market Value and/or damages. The Review Appraiser recommends the acceptance and approval of this appraisal under review as the basis for the establishment of the amount believed to be just compensation. This determination is based upon all competent information that is available including the appraisal(s) and data submitted by Donald S. Welinsky, MAI as well as the review appraiser's own observations and calculations. The appraisals and reviews for this project were based on plans dated November 19, 2020 by CDM Smith and survey plans dated September 23, 2020 by Chappell Engineering Associates.
- (2) The Review Appraiser understands that the above-stated determination of Market Value and/or damages is to be used in connection with a Federal Aid Project.
- (3) The Review Appraiser acknowledges the following checked statement(s):
 - (x) A visual inspection of the parcel(s) to be acquired, and the comparable sales relating thereto, was made by the Review Appraiser.
 - (x) The Review Appraiser is familiar with the project, and the area, from a recent visit.
- (4) That I have no direct or indirect present, or contemplated future, personal interest in such property, or in any benefit from the acquisition of such property herein appraised; that I, my immediate family or partner, or any business organization in which I am serving as an officer, director, trustee, partner, or employee, or any person or organization with whom I am negotiating or have any arrangement concerning prospective employment, did not perform, in whole or in part, this review appraisal, and do not have a financial interest in the property which is herein appraised; that I have read the provisions of M.G.L. c. 268A, S. 23, a copy of which is attached to and made a part of this review appraisal report; and that, to the best of my knowledge, in carrying out this appraisal assignment, I have not violated the standards of conduct set forth in said section 23.
- (5) The Review Appraiser's determination has been reached independently, based on appraisals or other factual data of record, without collaboration or direction.
- (6) That the Review Appraiser's determination of Market Value and/or damages included only items, which are compensable under State law, and are eligible for Federal reimbursement as herein noted.

Date: December 31, 2020

Review Appraiser:



Bernard P. Giroux, ASA, MRA
MA Certified Gen. Appraiser No. 2990

CITY: New Bedford
OWNER: 1855 Corporation
PROJECT NO.: 608536
PROJECT: Rockdale Avenue and Allen Street

PARCEL NO.(S): TE-10B

STATEMENT OF THE REVIEW APPRAISER

I, Bernard P. Giroux, as Review Appraiser, hereby certify:

- (1) The Review Appraiser has determined that **\$1,100** is a reasonable measure of Market Value and/or damages. The Review Appraiser recommends the acceptance and approval of this appraisal under review as the basis for the establishment of the amount believed to be just compensation. This determination is based upon all competent information that is available including the appraisal(s) and data submitted by Donald S. Welinsky, MAI as well as the review appraiser's own observations and calculations. The appraisals and reviews for this project were based on plans dated November 19, 2020 by CDM Smith and survey plans dated September 23, 2020 by Chappell Engineering Associates.
- (2) The Review Appraiser understands that the above-stated determination of Market Value and/or damages is to be used in connection with a Federal Aid Project.
- (3) The Review Appraiser acknowledges the following checked statement(s):
 - (x) A visual inspection of the parcel(s) to be acquired, and the comparable sales relating thereto, was made by the Review Appraiser.
 - (x) The Review Appraiser is familiar with the project, and the area, from a recent visit.
- (4) That I have no direct or indirect present, or contemplated future, personal interest in such property, or in any benefit from the acquisition of such property herein appraised; that I, my immediate family or partner, or any business organization in which I am serving as an officer, director, trustee, partner, or employee, or any person or organization with whom I am negotiating or have any arrangement concerning prospective employment, did not perform, in whole or in part, this review appraisal, and do not have a financial interest in the property which is herein appraised; that I have read the provisions of M.G.L. c. 268A, S. 23, a copy of which is attached to and made a part of this review appraisal report; and that, to the best of my knowledge, in carrying out this appraisal assignment, I have not violated the standards of conduct set forth in said section 23.
- (5) The Review Appraiser's determination has been reached independently, based on appraisals or other factual data of record, without collaboration or direction.
- (6) That the Review Appraiser's determination of Market Value and/or damages included only items, which are compensable under State law, and are eligible for Federal reimbursement as herein noted.

Date: December 31, 2020

Review Appraiser:



Bernard P. Giroux, ASA, MRA
MA Certified Gen. Appraiser No. 2990



Item Title:

COMMUNICATION - ORDER OF TAKING - PERMANENT & TEMPORARY EASEMENTS
INFRASTRUCTURE IMPROVEMENTS - INTERSECTION OF ROCKDALE AVENUE & ALLEN
STREET

Item Detail:

9. COMMUNICATION, Jane Medeiros Friedman, First Assistant City Solicitor to City Council,
submitting a proposed Order of Taking to acquire the permanent and temporary easements that are needed for
the Infrastructure Improvements at the intersection of Rockdale Avenue and Allen Street.

9a. AN ORDER OF TAKING,

Additional Information:

ATTACHMENTS:

Description	Type
□ COMMUNICATION,	Cover Memo
□ AN ORDER OF TAKING,	Cover Memo



City of New Bedford
OFFICE OF THE CITY SOLICITOR

MIKAELA A. McDERMOTT
City Solicitor

JANE MEDEIROS FRIEDMAN
First Assistant City Solicitor

ERIC JAIKES
KREG R. ESPINOLA
Assistant City Solicitors

JOHN E. FLOR
ELIZABETH LYDON
ELIZABETH McNAMARA
ELIZABETH TREADUP PIO
Associate City Solicitors

February 4, 2021

City Council President Joseph P. Lopes
Honorable Members of the City Council
Municipal Building
133 William Street
New Bedford, MA 02740

RE: Infrastructure Improvements at the Intersection of Rockdale Avenue and Allen Street

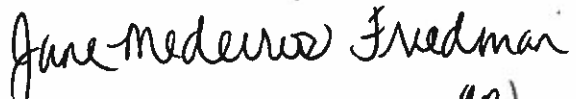
Dear Council President Lopes and Members of the City Council:

In accordance with your order, approved on December 2, 2020, this office has prepared and is submitting herewith, a proposed Order of Taking to acquire the permanent and temporary easements that are needed for the Infrastructure Improvements at the Intersection of Rockdale Avenue and Allen Street.

The Infrastructure Improvements at the Intersection of Rockdale Avenue and Allen Street is a MassDOT project that is being funded through the FFY 2021-2025 Transportation Improvement Program.

A representative of the Department of Public Infrastructure will be available to answer questions at the February 11, 2021 City Council Meeting.

Very truly yours,


Jane Medeiros Friedman (JP)
First Assistant City Solicitor

cc: Jamie Ponte, DPI Commissioner

CITY OF NEW BEDFORD
IN CITY COUNCIL

February 11, 2021

RECORDED LAND

WHEREAS, the common necessity and convenience of the inhabitants of the City of New Bedford require the taking of land hereinafter described for the purpose of providing safety and mobility improvements at the intersection of Rockdale Avenue and Allen Street, including but not limited to roadway and sidewalk reconstruction, traffic signals, signs, pavement markings, and for all other uses incidental to said municipal purposes; and

WHEREAS, the Department of Public Infrastructure of the City of New Bedford has requested that said land be taken for said purposes; and

WHEREAS, an appraisal of said land has been made on behalf of the taking authority in accordance with Massachusetts General Laws Chapter 79, Section 7A, and has been filed with said authority; and

WHEREAS, an appropriation has been made for the general purpose for which said land is needed;

NOW, THEREFORE, IT IS HEREBY ORDERED, that the City of New Bedford, acting by and through the City Council, and under applicable provisions of Massachusetts General Laws, Chapter 79, and under any and every other power to it granted or implied, hereby takes for itself, by eminent domain, temporary and permanent easements, located in New Bedford as hereinafter described, for the purpose of providing safety and mobility improvements at the intersection of Rockdale Avenue and Allen Street, including but not limited to roadway and sidewalk reconstruction, traffic signals, signs, pavement markings, and for all other uses incidental to said municipal purposes:

Permanent Easement SW-1: A parcel of land in the City of New Bedford, comprising a portion of Map 34 Lot 1, shown as Parcel SW-1, Taunton Federal Credit Union, Area = About 12 SF, as shown on plan by Chappell Engineering Associates dated September

23, 2020, bounded and described as follows: Commencing from the centerline station 103+38.73 of the 2020 Allen Street Construction Baseline thence bearing S 9°43'46" E 22.50 feet to the point of beginning at the southerly line of Allen Street, thence N 80°16'14" E 5.00 feet; thence S 28°57'24" W 6.25 feet; thence N 22°21'26" W 5.00 feet to the point of beginning.

Permanent Easement SW-2: A parcel of land in the City of New Bedford, comprising a portion of Map 39 Lot 2, shown as Parcel SW-2, Compass Bank For Savings C/O Santander Bank/Lease ADM, Area = About 12 SF, as shown on plan by Chappell Engineering Associates dated September 23, 2020, bounded and described as follows: Commencing from centerline station 103+73.62 of the 2020 Allen Street Construction Baseline thence bearing N 9°43'46" W 22.50 feet to the point of beginning on the northerly line of Allen Street; thence N 9°43'46" W 2.00 feet; thence N 80°16'14" E 6.00 feet; thence S 9°43'46" E 2.00 feet; thence S 80°16'14" W 6.00 feet to the point of beginning.

Permanent Easement U-1: A parcel of land in the City of New Bedford, comprising a portion of Map 33 Lot 49, shown as Parcel U-1, Richard J. Silva 7-Eleven Licensing, Area = About 195 SF, as shown on plan by Chappell Engineering Associates dated September 23, 2020, bounded and described as follows: Commencing from centerline station 102+06.75 of the 2020 Allen Street Construction Baseline thence bearing S 9°43'46" E 22.50 feet to the point of beginning on the southerly line of Allen Street; thence N 80°16'14" E 50.00 feet; thence S 22°21'26" E 8.00 feet; thence S 88°50'56" W 52.33 feet to the point of beginning.

Temporary Easement TE-1: A parcel of land in the City of New Bedford, comprising a portion of Map 33 Lot 102, shown as Parcel TE-1, Lino Cabral, Area = About 497 SF, as shown on plan by Chappell Engineering Associates dated September 23, 2020,

bounded and described as follows: Commencing from centerline station 101+45.00 of the 2020 Allen Street Construction Baseline thence bearing S 9°43'46" E 22.50 feet to the point of beginning on the southerly line of Allen Street; thence N 80°16'14" E 61.75 feet at the division line between the land now or formerly of Richard J. Silva 7-Eleven Licensing and the land now or formerly of Lino Cabral; thence S 15°05'53" E 8.04 feet by said division line to a point; thence S 80°16'14" W 62.50 feet to a point; thence N 9°43'46" W 8.00 feet to the point of beginning at a point in the southerly sideline of Allen Street, the last two courses being through the land now or formerly of the aforementioned Lino Cabral.

Temporary Easement TE-2: A parcel of land in the City of New Bedford, comprising a portion of Map 33 Lot 49, shown as Parcel TE-2, Richard J. Silva 7-Eleven Licensing, Area = About 1676 SF, as shown on plan by Chappell Engineering Associates dated September 23, 2020, bounded and described as follows: Commencing from centerline station 102+06.75 of the 2020 Allen Street Construction Baseline thence bearing S 9°43'46" E 22.50 feet to the point of beginning on the southerly line of Allen Street; thence N 88°50'56" E 52.33 feet along the Permanent Utility Easement U-1 to a point on the Westerly sideline of Rockdale Avenue; thence S 22°21'26" E 166.20 feet along the Westerly sideline of Rockdale Avenue to a point at the intersection of the westerly sideline of Rockdale Avenue and the northerly sideline of Grape Street.; thence S 80°15'04" W 8.20 feet along said sideline of Grape Street to a point; thence N 22°21'26" W 162.46 feet to a point; thence S 80°54'06" W 43.34 feet to a point on the division line between the land now or formerly of Lino Cabral the last two courses being through the land now or formerly of Richard J. Silva 7-Eleven Licensing; thence N 15°05'53" W 11.04 feet along said division line to the point of beginning.

Temporary Easement TE-3: A parcel of land in the City of New Bedford, comprising a portion of Map 34 Lot 1, shown as Parcel TE-3, Taunton federal Credit Union, Area =

About 875 SF, as shown on plan by Chappell Engineering Associates dated September 23, 2020, bounded and described as follows: Commencing from centerline station 104+38.48 of the 2020 Allen Street Construction Baseline thence bearing S 9°43'46" E 22.50 feet to the division line between the land now or formerly of Taunton federal Credit Union and the land now or formerly of Joseph A. and Kathleen P. Neves; thence S 9°43'46" E 5.00 feet along said division line to a point; thence S 80°16'14" W 83.72 feet to a point of curvature; thence Southwesterly along a curve to the left with a radius of 11.00 feet and length of 19.85 feet to a point of tangency; thence S 23°07'57" E 153.05 feet to a point on the northerly sideline of Grape Street, the last three courses being through the land now or formerly of Taunton federal Credit Union; thence N 86°24'56" E 3.40 feet along said northerly sideline of Grape Street to a point at the intersection of the northerly sideline of Grape Street and the easterly sideline of Rockdale Avenue; thence N 22°21'26" W 166.21 feet along said westerly sideline of Rockdale Avenue to a point at the sidewalk easement SW-1; thence N 28°57'24" E 6.25 feet along said easement line to a point at the southerly sideline of Allen Street; thence N 80°16'14" E 99.75 feet along said southerly sideline of Allen Street to the point of beginning.

Temporary Easement TE-4: A parcel of land in the City of New Bedford, comprising a portion of Map 38 Lot 326, shown as Parcel TE-4, Lisa M. Carvalho, Area = About 26 SF, as shown on plan by Chappell Engineering Associates dated September 23, 2020, bounded and described as follows: Commencing from centerline station 101+45.00 of the 2020 Allen Street Construction Baseline thence N 9°43'46" W 22.50 feet to the point of beginning on the northerly sideline of Allen Street; thence N 9°43'46" W 3.00 feet to a point; thence N 80°16'14" E 8.55 feet to a point at the division line between the land now or formerly of Lisa M. Carvalho and the land now or formerly of 499 Rockdale Avenue, LLC, the last two courses being through the land of said Carvalho; thence the land now or formerly of 499 Rockdale Avenue, LLC; thence

S 9°43'46" E 3.00 feet along the aforementioned division line to a point on the northerly sideline of Allen Street; thence S 80°16'14" W 8.55 feet along said sideline to point of beginning.

Temporary Easement TE-5: A parcel of land in the City of New Bedford, comprising a portion of Map 38 Lot 328, shown as Parcel TE-5, 499 Rockdale Avenue, LLC, Area = About 656 SF, as shown on plan by Chappell Engineering Associates dated September 23, 2020, bounded and described as follows: Commencing from centerline station 203+26.45 of the 2020 Rockdale Avenue Construction Baseline; thence S 78°43'55" W 40.00 feet to the point of beginning on the westerly sideline of Rockdale Avenue at a point at the division line between the land now or formerly of 499 Rockdale Avenue, LLC and the land now or formerly of Allen P. and Joan T Gomes; thence S 11°16'05" E 45.02 feet along the westerly sideline of Rockdale Avenue to the intersection of said sideline and the northerly sideline of Allen Street; thence S 80°16'14" W 105.15 feet along the northerly sideline of Allen Street to a point at the division line between the land now or formerly of Lisa M. Carvalho and the land now or formerly of 499 Rockdale Avenue, LLC; thence N 9°43'46" W 8.00 feet along said division line to a point; thence N 80°16'14" E 42.88 feet to a point; thence S 9°45'48" E 7.23 feet to a point; thence N 80°14'12" E 55.95 feet to a point; thence N 10°24'43" W 44.20 feet to a point at the division line between the land now or formerly of 499 Rockdale Avenue, LLC and the land now or formerly of Allen P. and Joan T Gomes, the previous four coursed being through the land now or formerly of 499 Rockdale Avenue, LLC ; thence N 80°16'14" E 5.63 feet along said division line to the point of beginning.

Temporary Easement TE-6: A parcel of land in the City of New Bedford, comprising a portion of Map 38 Lot 327, shown as Parcel TE-6, Allen P. and Joan T Gomes, Area = About 135 SF, as shown on plan by Chappell Engineering Associates dated September

23, 2020, bounded and described as follows: Commencing from centerline station 203+26.45 of the 2020 Rockdale Avenue Construction Baseline; thence S 78°43'55" W 40.00 feet to the point of beginning on the westerly sideline of Rockdale Avenue at a point at the division line between the land now or formerly of 499 Rockdale Avenue, LLC and the land now or formerly of Allen P. and Joan T Gomes; thence S 80°16'14" W 3.00 feet along said division line; thence N 11°16'05" W 45.02 feet through the land now or formerly of Allen P. and Joan T Gomes to a point at the division line between two parcels of land now or formerly of Allen P. and Joan T Gomes; thence N 80°16'14" E 3.00 feet along said division line to a point at the westerly sideline of Rockdale Avenue; thence S 11°16'05" E 45.02 feet along the westerly sideline of Rockdale Avenue to the point of beginning.

Temporary Easement TE-7A: A parcel of land in the City of New Bedford, comprising a portion of Map 38 Lot 316, shown as Parcel TE-7A, Allen P. and Joan T. Gomes, Area = About 30 SF, as shown on plan by Chappell Engineering Associates dated September 23, 2020, bounded and described as follows: Commencing from centerline station 203+81.47 of the 2020 Rockdale Avenue Construction Baseline; thence S 78°43'55" W 40.00 feet to a point on the westerly sideline of Rockdale Avenue at a point at the division line between the land now or formerly of Allen P. and Joan T. Gomes and the land now or formerly of Bridgit Rasmussen Trustee of The Bridgit Rasmussen Trust; thence S 11°16'05" E 10.00 feet along the westerly sideline of Rockdale Avenue to a point at the division line between two parcels of land now or formerly of Allen P. and Joan T Gomes; thence S 80°16'14" W 3.00 feet along said division line to a point; thence N 11°16'05" W 10.00 feet through the land now or formerly of Allen P. and Joan T. Gomes to the division line to a point at the division line between the land now or formerly of Allen P. and Joan T. Gomes and the land now or formerly of Bridgit Rasmussen Trustee of The Bridgit Rasmussen Trust; thence N 80°16'21" E 3.00 feet along said division line to the point of beginning.

Temporary Easement TE-7B: A parcel of land in the City of New Bedford, comprising a portion of Map 38 Lot 371, shown as Parcel TE-7B, Bridgit Rasmussen Trustee of The Bridgit Rasmussen Trust, Area = About 34 SF, as shown on plan by Chappell Engineering Associates dated September 23, 2020, bounded and described as follows: Commencing from centerline station 203+81.47 of the 2020 Rockdale Avenue Construction Baseline; thence S 78°43'55" W 40.00 feet to a point on the westerly sideline of Rockdale Avenue at a point at the division line between the land now or formerly of Allen P. and Joan T. Gomes and the land now or formerly of Bridgit Rasmussen Trustee of The Bridgit Rasmussen Trust; thence S 80°16'21" W 3.00 feet along said division line to a point; thence N 11°16'05" W 11.26 feet to the division line between two parcels of land now or Bridgit Rasmussen Trustee of The Bridgit Rasmussen Trust; thence; N 80°16'29" E 3.00 feet along said division line to a point at westerly sideline of Rockdale Avenue; thence S 11°16'05" E 11.26 feet to the point of beginning.

Temporary Easement TE-7C: A parcel of land in the City of New Bedford, comprising a portion of Map 38 Lot 315, shown as Parcel TE-7C, Bridgit Rasmussen Trustee of The Bridgit Rasmussen Trust, Area = About 191 SF, as shown on plan by Chappell Engineering Associates dated September 23, 2020, bounded and described as follows: Commencing from centerline station 204+56.49 of the 2020 Rockdale Avenue Construction Baseline; thence S 78°43'55" W 40.00 feet to a point at the intersection of the westerly sideline of Rockdale Avenue and the southerly sideline of Farm Street; thence S 11°16'05" E 63.77 feet along the westerly sideline of Rockdale avenue to a point at the division line between two parcels of land now or Bridgit Rasmussen Trustee of The Bridgit Rasmussen Trust ; thence S 80°16'29" W 3.00 feet along said division line to a point; thence N 11°16'05" W 63.77 feet through the land now or formerly of Bridgit Rasmussen Trustee of The Bridgit Rasmussen Trust to a point at the southerly

sideline of Farm Street; thence N 80°16'14" E 3.00 feet along the southerly sideline of Farm Street to a point to the point of beginning.

Temporary Easement TE-8: A parcel of land in the City of New Bedford, comprising a portion of Map 39 Lot 454, shown as Parcel TE-8, Thomas F, JR and Susie M. Frizzell, Area = About 154 SF, as shown on plan by Chappell Engineering Associates dated September 23, 2020, bounded and described as follows: Commencing from centerline station 204+58.72 of the 2020 Rockdale Avenue Construction Baseline; thence N 78°43'55" E 40.00 feet to the point of beginning on the westerly sideline of Rockdale Avenue at a point at the division line between the land now or formerly of Thomas F, JR and Susie M. Frizzell and the land now or formerly of Stephen and Deborah-Pepin Bullock; thence N 11°16'05" W 51.28 feet along the easterly sideline of Rockdale Avenue to a point; thence N 78°43'55" E 3.00 feet to a point; thence S 11°16'05" E 52.05 feet to a point at the division line between the land now or formerly of Thomas F, JR and Susie M. Frizzell and the land now or formerly of Stephen and Deborah-Pepin Bullock; thence S 79°51'21" W 3.00 feet along said division line to the point of beginning.

Temporary Easement TE-9: A parcel of land in the City of New Bedford, comprising a portion of Map 39 Lot 456, shown as Parcel TE-9, Stephen and Deborah-Pepin Bullock, Area = About 150 SF, as shown on plan by Chappell Engineering Associates dated September 23, 2020, bounded and described as follows: Commencing from centerline station 204+58.72 of the 2020 Rockdale Avenue Construction Baseline; thence N 78°43'55" E 40.00 feet to the point of beginning on the westerly sideline of Rockdale Avenue at a point at the division line between the land now or formerly of Thomas F, JR and Susie M. Frizzell and the land now or formerly of Stephen and Deborah-Pepin Bullock; thence N 79°51'21" E 3.00 feet along said division line to a point; thence S 11°16'05" E 49.23 feet through the land now or formerly of Stephen and

Deborah-Pepin Bullock to a point at the division line between the land now or formerly of Compass Bank for Savings C/O Santander Bank/Lease ADM and the land now or formerly of Stephen and Deborah-Pepin Bullock; thence S 78°43'25" W 3.00 feet along said division line to a point at the westerly sideline of Rockdale Avenue thence; N 11°16'05" W 50.00 feet along the easterly sideline of Rockdale Avenue to the point of beginning.

Temporary Easement TE-10A: A parcel of land in the City of New Bedford, comprising a portion of Map 39 Lot 2, shown as Parcel TE-10A, Compass Bank for Savings C/O Santander Bank/Lease ADM, Area = About 1,095 SF, as shown on plan by Chappell Engineering Associates dated September 23, 2020, bounded and described as follows: Commencing from centerline station 204+08.72 of the 2020 Rockdale Avenue Construction Baseline; thence N 78°43'55" E 40.00 feet to the point of beginning on the easterly sideline of Rockdale Avenue at a point at the division line between the land now or formerly of Compass Bank for Savings C/O Santander Bank/Lease ADM and the land now or formerly of Stephen and Deborah-Pepin Bullock; thence N 78°43'44" E 8.00 feet along said division line to a point; thence S 11°16'05" E 63.51 feet to a point; thence S 78°43'55" W 5.00 feet to a point; thence S 11°16'05" E 61.01 feet to a point; thence N 80°16'14" E 80.32 feet to a point at the dividing line between the land now or formerly of Compass Bank for Savings C/O Santander Bank/Lease ADM and the land now or formerly of 1855 Corporation, the last four courses being through the land now or formerly of Compass Bank for Savings C/O Santander Bank/Lease ADM; thence S 9°20'13" E 5.00 feet along said division line to a point on the northerly sideline of Allen Street; thence S 80°16'14" W 42.26 feet along said sideline to a point at the SW-2 easement; thence N 9°43'46" W 2.00 feet to a point; thence S 80°16'14" W 6.00 feet to a point; thence S 9°43'46" E 2.00 feet to a point on the northerly sideline of Allen street, the previous three courses being along the line of the SW-2 easement; thence S 80°16'14" W 34.89 feet along said sideline to a point at

the intersection of the northerly sideline of Allen Street and the easterly sideline of Rockdale Avenue; thence N 11°16'05" W 129.44 feet to the point of beginning.

Temporary Easement TE-10B: A parcel of land in the City of New Bedford, comprising a portion of Map 39 Lot 451, shown as Parcel TE-10B, 1855 Corporation, Area = About 431 SF, as shown on plan by Chappell Engineering Associates dated September 23, 2020, bounded and described as follows: Commencing from centerline station 104+21.88 of the 2020 Allen Street Construction Baseline thence N 9°43'46" W 22.50 feet to the point of beginning on the northerly sideline of Allen Street at the division line between said land of Compass Bank and 1855 Corporation; thence; N 9°20'13" W 5.00 feet along said division line to a point; thence N 80°16'14" E 86.24 feet through the land now or formerly of 1855 Corporation to a point at the westerly sideline of Reed Street; thence S 9°24'46" E 5.00 feet along said sideline to the intersection of the westerly sideline of Reed Street and the northerly sideline of Allen Street; thence S 80°16'14" W 86.25 feet to the point of beginning.

No trees on the land taken and no structures affixed thereto are included in the taking, and the owners of the property are allowed (30) days from and after recording of this instrument in the Registry of Deeds by the City in which to remove and take away from the land any trees or structures. Notwithstanding anything to the contrary contained herein, the owners of the property shall not be required to take away from the land any such trees or structures.

IT IS FURTHERED ORDERED, in accordance with the provisions of said Chapter 79, that the following amounts are awarded as compensation for damages sustained by the owner or owners of the property and all other persons, including all mortgagees of record, having any and all interest in the property taken and entitled to any damages by reason of the taking hereby made:

<u>EASEMENT OR PARCEL #</u>	<u>NEW BEDFORD ASSESSOR'S PLAT & LOT #</u>	<u>NAME OF SUPPOSED OWNER</u>	<u>AWARD OF DAMAGES</u>
TE-1	33-102	Lino Cabral 606 Allen St. New Bedford, MA 02744 <u>Mortgagee:</u> MERS – Mortgage Electronic Registration Systems, Inc. P.O. Box 2026 Flint, MI 48501-2026	\$1,100.00
U-1 TE-2	33-49	Richard J. Silva 489 Rockdale Ave. New Bedford, MA 02740 Department of Treasury Internal Revenue Service 53 N 6 th Street New Bedford, MA 02740	\$1,700.00 \$4,300.00
SW-1 TE-3	34-1	Taunton Federal Credit Union 14 Church St. Taunton, MA 027480	\$ 100.00 \$ 2,200.00
TE-4	38-326	Lisa M. Carvalho 148 Shaw Rd. Fairhaven, MA 02719 <u>Mortgagee:</u> Baycoast Bank 330 Swansea Mall Dr. Swansea, MA 02777	\$300.00
TE-5	38-328	499 Rockdale Avenue, LLC 497-499 Rockdale Ave. New Bedford, MA 02740 <u>Mortgagee:</u> L. Michael Gouveia Linda R. Gouveia 2 Sweeney Lane Dartmouth, MA 02748	\$1,700.00
TE-6 TE-7A	38-327 38-316	Allen P. Gomes Joan T. Gomes 14 Eleventh St. Dartmouth, MA 02748 <u>Mortgage:</u> MERS – Mortgage Electronic Registration Systems, Inc.	\$300.00 \$100.00

		P.O. Box 2026 Flint, MI 48501-2026	
TE-7B	38-371	Birgit Rasmussen , Trustee	\$100.00
TE-7C	38-315	The Birgit Rasmussen Trust 915 Hathaway Rd., #403 New Bedford, MA 02740	\$400.00
TE-8	39-454	Thomas F. Frizzell, Jr. Susie M. Frizzell 512 Rockdale Ave. New Bedford, MA 02740	\$300.00
		<u>Mortgagee:</u> MERS – Mortgage Electronic Registration Systems, Inc. P.O. Box 2026 Flint, MI 48501-2026	
TE-9	39-456	Stephen Bullock Deborah Pepin Bullock 508 Rockdale Ave. New Bedford, MA 02740	\$300.00
		<u>Mortgagee:</u> MERS – Mortgage Electronic Registration Systems, Inc. P.O. Box 2026 Flint, MI 48501-2026	
SW-2	39-2	Santander Bank, National	\$2,800.00
TE-10A		Association formerly Compass Bank for Savings c/o Santander Bank/Lease Adm Two Morrissey Blvd. Boston, MA 02125	\$ 100.00
TE-10B	39-451 & 450	Santander Bank, National Association formerly The 1855 Corporation for Savings c/o Santander Bank/Lease Adm Two Morrissey Blvd. Boston, MA 02125	\$1,100.00

IT IS FURTHER ORDERED, that in addition to the above amount, there is also
awarded as damages the following sum estimated to be equal to that portion of the taxes

assessed upon the property herein taken for Fiscal Year 2021 and 2022 in accordance with the provisions of Massachusetts General Laws, Chapter 79, Section 12, which amount, together with the damages awarded in the preceding paragraph, shall constitute full compensation for the taking herein ordered.

TAXES FOR FISCAL YEAR 2021-2022

TE-1	33-102	Lino Cabral 606 Allen St. New Bedford, MA 02744	NONE
U-1 TE-2	33-49	Richard J. Silva 489 Rockdale Ave. New Bedford, MA 02740	NONE
SW-1 TE-3	34-1	Taunton Federal Credit Union 14 Church St. Taunton, MA 027480	NONE
TE-4	38-326	Lisa M. Carvalho 148 Shaw Rd. Fairhaven, MA 02719	NONE
TE-5	38-328	499 Rockdale Avenue, LLC 497-499 Rockdale Ave. New Bedford, MA 02740	NONE
TE-6 TE-7A	38-327 38-316	Allen P. Gomes Joan T. Gomes 14 Eleventh St. Dartmouth, MA 02748	NONE
TE-7B TE-7C	38-371 38-315	Birgit Rasmussen , Trustee The Birgit Rasmussen Trust 915 Hathaway Rd., #403 New Bedford, MA 02740	NONE
TE-8	39-454	Thomas F. Frizzell, Jr. Susie M. Frizzell 512 Rockdale Ave. New Bedford, MA 02740	NONE
TE-9	39-456	Stephen Bullock Deborah Pepin Bullock 508 Rockdale Ave. New Bedford, MA 02740	NONE
SW-2 TE-10A	39-2	Santander Bank, National Association formerly Compass Bank	NONE

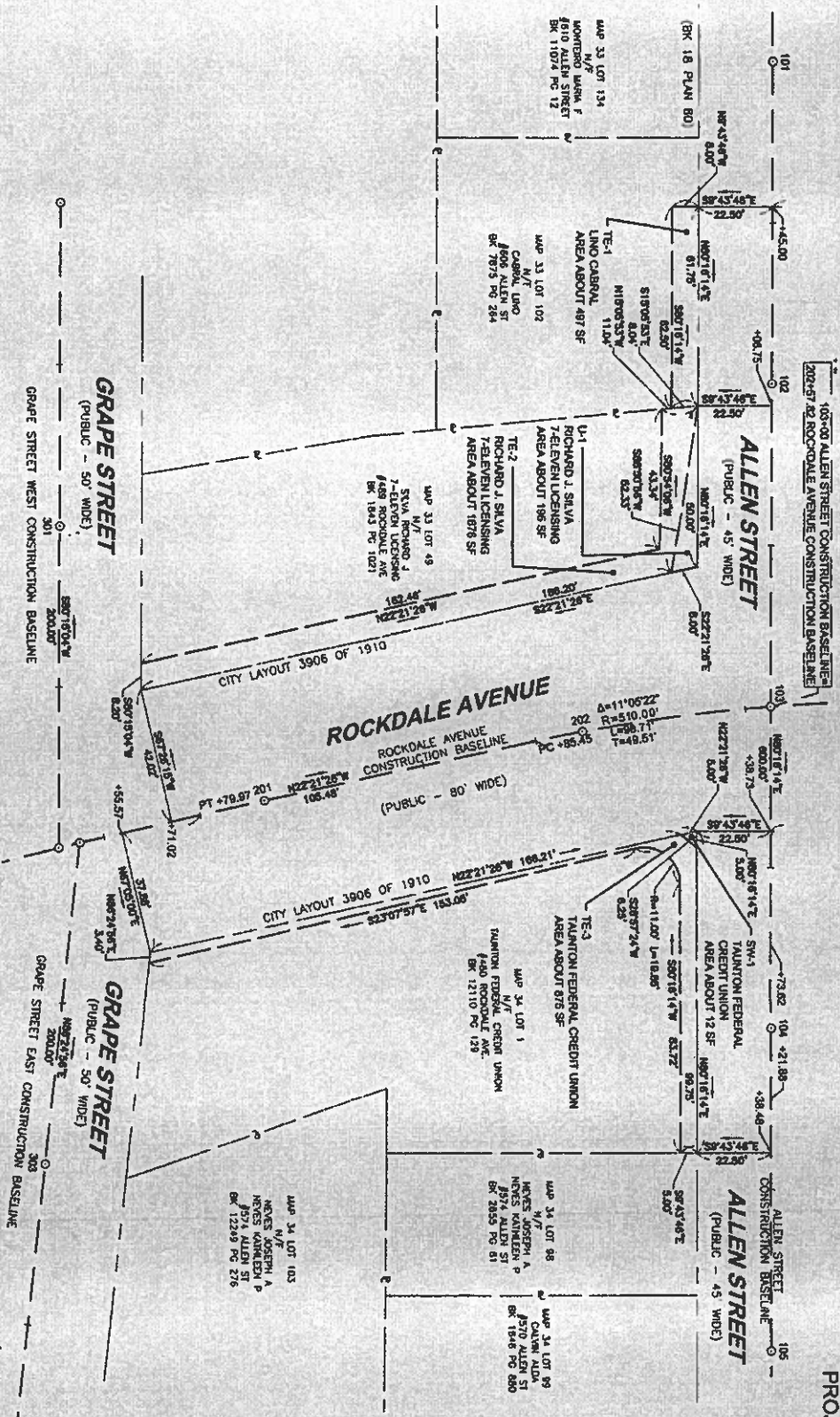
		for Savings c/o Santander Bank/Lease Adm Two Morrissey Blvd. Boston, MA 02125	
TE-10B	39-451 & 450	Santander Bank, National Association formerly Compass Bank for Savings c/o Santander Bank/Lease Adm Two Morrissey Blvd. Boston, MA 02125	NONE

IT IS FURTHER EXPRESSED AND STIPULATED that the order of taking and the awarding damages herein contained does not relieve the owners of land taken from liability for taxes now uncollected for the Fiscal Year 2021 and any prior year, if the same remain unpaid as of the date of this order.

AND BE IT FURTHER ORDERED, that the City Clerk cause a copy of this order of taking herein made, certified by him, to be recorded on behalf of the City of New Bedford in the Registry of Deeds for the Southern District of Bristol County, and to give such other notices as are required by General Laws.

NEW BEDFORD-2020 EASEMENTS-SHEET 1 OF 2 SHEETS
PROJECT FILE NO. 608536

SEE SHEET 2



PLAN PREPARED BY:
CHAPPELL ENGINEERING ASSOCIATES
201 BOSTON POST ROAD W.
SUITE 101
MARLBOROUGH MA, 01752
(508) 481-7400

FOR REGISTRY USE ONLY

10/20/20
DATE
WILLIAM TIRRELL, PLS # 4581



I CERTIFY THAT THE PROPERTY LINES SHOWN ARE THE LINES BOUNDING EXISTING OWNERSHIP AND THE LINES OF STREETS AND WAYS SHOWN ARE THOSE OF PUBLIC OR PRIVATE STREETS WAYS ALREADY ESTABLISHED, AND THAT NO LINES FOR DIVISION OF THE EXISTING OWNERSHIP OR FOR THE NEW WAYS ARE SHOWN.

I CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN CONFORMANCE WITH THE RULES, REGULATIONS OF THE REGISTRARS OF DEEDS, THE COMMONWEALTH OF MASSACHUSETTS.

PLAN OF ROADS IN THE CITY OF NEW BEDFORD
SHOWING PROPOSED TEMPORARY AND PERMANENT SIDEWALK AND UTILITY EASEMENTS
PREPARED FOR THE CITY OF NEW BEDFORD

SCALE: 20 FEET TO THE INCH

(PUBLIC - 50' WIDE)

(508) 481-7400

FOR REGISTRY USE ONLY



THE COMMONWEALTH OF MASSACHUSETTS

DATE _____

WILLIAM BOYELL, Ph.D.

PREPARED FOR THE CITY OF

SCALE: 20 FEET TO 1 IN.



Item Title:

COMMUNICATION - SCHOOLS' FOOD SERVICE DEPT - 449 NORTH STREET -

Item Detail:

10. COMMUNICATION, Council President Lopes submitting a copy of a letter regarding the School Committee's recommendation to purchase property at 449 North Street for the New Bedford Public Schools' Food Service Department. (To be Referred to the Committee on City Property.)

Additional Information:

ATTACHMENTS:

Description	Type
<input type="checkbox"/> COMMUNICATION,	Cover Memo
<input type="checkbox"/> RFP,	Cover Memo



THOMAS ANDERSON
SUPERINTENDENT

NEW BEDFORD PUBLIC SCHOOLS
PAUL RODRIGUES ADMINISTRATION BUILDING
455 COUNTY STREET
NEW BEDFORD, MASSACHUSETTS 02740
www.newbedfordschool.org

(508) 997-4511

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KAREN A. TREADUP
DEPUTY SUPERINTENDENT

ANDREW O'LEARY
ASSISTANT
SUPERINTENDENT OF
FINANCE & OPERATIONS

HEATHER EMSLEY
EXECUTIVE DIRECTOR OF
HUMAN CAPITAL SERVICES

JENNIFER FERLAND
EXECUTIVE DIRECTOR OF
STRATEGIC INITIATIVES & PARTNERSHIPS

SANDRA FORD
EXECUTIVE DIRECTOR OF
SPECIAL EDUCATION & STUDENT
SERVICES

SONIA WALMSLEY
EXECUTIVE DIRECTOR OF
EDUCATIONAL ACCESS &
PATHWAYS

January 27, 2021
Councilman William "Brad" Markey
Chair of the Property Committee
City of New Bedford
133 William St
New Bedford, MA 02740

Dear Councilman Markey:

The City Council's Committee on Property voted to allow the New Bedford School Department to issue a Request for Proposal regarding the purchase or lease of a site with specific parameters acceptable to the Food Service Department at their August 10, 2020 meeting. The specific parameters include the following:

- The preferred building will be 15,000 to 20,000 square feet in size
- Contain a loading dock
- Be centrally located and made up of one parcel
- Adjacent to highways
- Include parking for thirty four vehicles
- The ability to receive on site and unload a tractor trailer combination with a 53' trailer without street obstruction or backing in and out of the street delaying traffic

The RFP specifies proposals for purchase with an estimated cost of not more than one million dollars (\$1,000,000) as long as the property is free of debts, obligations, liens, or other encumbrances (financial or otherwise) at the time of delivery, but would accept a gift property. The property must have had a recent clearance report from action relating to MGL Chapter 21E: Massachusetts Oil and Hazardous Material Release Prevention and Response Act.

One bid proposal was received by the City of New Bedford Purchasing Department after the bid was qualified for technical criteria it was forwarded to Robert Shaheen, Food Service Director of New Bedford Public Schools and Dr. Barry Rabinovitch, School Construction Facilitator.

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.

A bid proposal evaluation committee consisting of Dr. Rabinovitch, School Construction Facilitator, Robert Shaheen, Director of Food Service, Donald Veloso, Owner's Project Manager, and Bruce Oliveira, New Bedford School Committee, evaluated the one proposal received and gave the proposal an average score of 23.5 out of a possible 25 total points. The evaluation committee unanimously agreed to send a recommendation to the New Bedford School Committee to request the City to purchase the property at 449 North St, New Bedford, MA 02740.

On December 14, 2020, the New Bedford School Committee voted to recommend that the City of New Bedford begin negotiations to purchase the property at 449 North St. This letter should serve as the School Committee's recommendation to move forward with negotiations to purchase the property located at 449 North St, New Bedford, MA 02740. Enclosed, please find the recommended proposal and price proposal sheet submitted by the owner of this property.

While the development costs would be financed through general obligation debt, all debt service costs would be reimbursed to the General Fund by the Cafeteria Fund through a Memorandum of Understanding. Ideally, the School Department wishes to settle on a property and close on the transaction as soon as possible.

Respectfully,



Dr. Barry Rabinovitch
School Construction Facilitator
BAR/sah

Enclosures

REQUEST FOR PROPOSALS

CITY OF NEW BEDFORD, MASSACHUSETTS

NEW BEDFORD PUBLIC SCHOOLS

SITE ACQUISITION FOR A NEW CENTRAL KITCHEN FACILITY

RFP # 21300038



Bids Due: Wednesday, October 14, 2020 at 1 p.m.

Jonathan F. Mitchell
Mayor

New Bedford Public Schools
455 County Street
New Bedford, MA 02740



CITY OF NEW BEDFORD, MASSACHUSETTS

Request for Proposals # 21300038 Site Acquisition for Central Kitchen Facility



The City of New Bedford, Purchasing Department, in conjunction with the New Bedford Public Schools Food Service Department (NBSFSD), is soliciting sealed proposals for a new Central Kitchen Facility in New Bedford, Massachusetts. The NBSFSD has outgrown its existing Central Kitchen space located at the Paul Rodrigues Administration Building and wishes to move to a new building while remaining central to all schools.

To accommodate a new workspace, the preferred building will be 15,000 to 20,000 square feet in size, contain a loading dock, be centrally located and made up of one parcel, adjacent to highways, and include parking for 34 vehicles, plus the ability to receive on site and unload a tractor trailer combination with a 53' trailer without street obstruction or backing in and out of the street delaying traffic. The NBSFSD will entertain proposals for purchase with an estimated cost of not more than one million dollars (\$1,000,000) as long as the property is free of debts, obligations, liens, or other encumbrances (financial or otherwise) at the time of delivery but would accept a gift property. The property must have had a recent clearance report from action relating to MGL Chapter 21E: MASSACHUSETTS OIL AND HAZARDOUS MATERIAL RELEASE PREVENTION AND RESPONSE ACT. Ideally, the NBSFSD wishes to settle on a property and close on the transaction as soon as reasonably possible.

The proposal process and award of this Contract will be under the provisions of M.G.L. Chapter 30B.

Contract documents may be obtained and/or examined electronically by visiting the City's website <https://www.newbedford-ma.gov/purchasing/> on or after Monday, August 31, 2020.

Due to the coronavirus outbreak, the regular submission process has changed. Sealed proposals can now be only submitted to 309 Smith Street, New Bedford, MA 02740 between Monday – Friday from 8 am – 3 pm. Packages **must** be delivered to above address via receipt-acknowledged delivery service, certified mail that must be signed for, or in person drop-off. The bid **must** clearly state on the exterior that it is for IFB # 21300038 Central Kitchen Site Acquisition, attention to the Purchasing Department. To facilitate the bid opening process, all bidders **must** email purchasing@newbedford-ma.gov to confirm that they have submitted a bid.

All incoming mail- delivered or dropped off- is to be quarantined for a period of at least 48 hours to eliminate the possibility of viral transmission per the New Bedford Health Department. As such, proposals are due on Wednesday, October 14, 2020 at 1 pm Eastern time, but will be opened on Friday, October 16, 2020 at 1 pm Eastern Time. Proposals received after the above time and date will be rejected and returned unopened.

If, at the time of the scheduled proposal due date or opening, City Hall is closed due to uncontrolled events such as fire, snow, ice, wind, or building evacuation, the proposal due date and/or opening will be postponed to the same time on the next normal business day. It is strongly recommended that proposals are mailed or delivered in advanced of the due date and time. The time clock on the wall above the counter of the Purchasing Department will determine the time of the proposal opening.

Attention is called to the fact that supplies furnished as part of this Contract are exempt from the Sales and Use Tax. All proposals submitted should take this factor into consideration and be calculated accordingly.

The Proposer must furnish a Non-Collusion Form and Statement of Taxes with their proposal.

The developer selection will be awarded within sixty (60) days after the proposal opening. The time for award may be extended by mutual agreement between the City and the awarded vendor.

No Vendor may withdraw his/her bid for a period of one year (365 days), excluding Saturdays, Sundays, and legal holidays, after the actual date of the opening thereof.

Proposals must include ALL DOCUMENTS required by the Request for Proposals. The Awarding Authority reserves the right to waive any informality, reject any or all proposals, or accept other than the lowest priced proposal if the City determines that it is in the best interests of the City.

Awarding Authority
City of New Bedford
Purchasing Department
Molly Gilfeather, Director of Purchasing

We respectfully cannot agree to this paragraph in its entirety for reasonable concerns but do suggest an alternative timeline if our proposal is rejected. Please see letter attached.

END OF SECTION – GENERAL INFORMATION, INVITATION FOR BIDS

General Conditions and Requirements

1. Proposal Rules:

This proposal is solicited and will be awarded pursuant to the rules set forth in Chapter 30B of the Massachusetts General Laws.

2. Proposal Submission:

Proposals must be submitted by 1 pm on Wednesday, October 14, 2020 in two (2) separate, sealed envelopes marked:

1. 21300038 Site Acquisition Central Kitchen – Technical Proposal
2. 21300038 Site Acquisition Central Kitchen – Cost Proposal

One (1) original and one (1) copy of each proposal is required. Technical proposals containing any cost information will be disqualified. Sealed proposals must be submitted to 309 Smith Street, New Bedford, MA 02740 between Monday – Friday from 8 am – 3 pm. Packages must be delivered to above address via receipt-acknowledged delivery service, certified mail that must be signed for, or in person drop-off. Proposers must email purchasing@newbedford-ma.gov to notify the City that a proposal was submitted.

3. Reviewing Period:

All proposals meeting general requirements and conditions may be held by the City of New Bedford for a period not to exceed sixty (60) days from the date of the opening of proposals for the purpose of reviewing the proposals and investigating qualifications of proposers, and negotiations prior to the awarding of the contract.

4. Basis of Proposal Award:

The City shall award to the responsible and responsive proposer submitting the proposal considered the most advantageous, taking into consideration the proposal's criteria and price. Upon a selection of the most advantageous proposal, the City will enter into negotiations for a purchase and sale agreement and/or long term lease agreement.

5. Cost to the City:

The City will entertain proposals to purchase the property for not more than one million dollars (\$1,000,000) as long as the property is free of debts, obligations, liens, or other encumbrances (financial or otherwise) but would accept a steeply discounted or gift property. The City will consider long term lease proposals (at least 10-20 years) for the property that fits the same criteria as the proposals to purchase the property.

6. Evaluation of Proposal:

The Committee shall evaluate each proposal's comparative evaluation criteria. The Committee shall assign a rating system to each criterion. The Committee shall then take into consideration the prices and decide the best overall proposal. The best overall proposal is not necessarily the proposal receiving the highest rating for the "Comparative Evaluation Criteria" or the proposal with the most inexpensive terms. The Committee will select the proposal based on the evaluation.

7. RFP Cancellation/ RFP Selection

The City of New Bedford may cancel this RFP, or reject in whole or in part any and all proposals, if the City determines that cancellation or rejection is in the best interest of the City, and it may select the proposal that it deems to be in the best interest of the City.

8. Interpretation of Contract Documents

All invitation for interpretation of Contract Documents must be in writing. Oral interpretation by the Awarding Authority, its employees or others shall not be binding or have any validity.

Any clarification for interpretation of the Contract Documents shall be submitted in writing to: purchasing@newbedford-ma.gov no later than Monday, September 28, 2020 at 4 pm prevailing time. If necessary, an Addendum to the Contract Documents will be issued and where feasible, copies of such Addenda will be emailed to all bidders of record as well as placed on the City's website under the Purchasing page. It is the responsibility of each bidder to verify the number of Addenda issued and to secure any needed copies from the **Purchasing webpage** before submitting a bid.

SCHEDULE:

Legal Notice to Bidders in CommBuys, Standard Times, & Central Register	Monday, August 31, 2020
RFP Available	Monday, August 31, 2020
Questions Due to City of New Bedford	Monday, September 28, 2020, at 4 pm
Responses to Questions/Addenda Issued	Thursday, October 1, 2020
Proposals Due to City of New Bedford	Wednesday, October 14, 2020 at 1 pm
Opening of Technical Proposals	Friday, October 16, 2020 at 1 pm
Selection of Contract Award- estimated	Friday, December 4, 2020
Executed Contract	Thursday, December 31, 2020

Scope

1. General Location of Property:

The preferred site for the new Central Kitchen Facility should be located near the center of the downtown area, have access to highways, public transportation and include off street parking.

2. Size and Geometry of the Property:

The subject property structure should be a minimum of 15,000 - 20,000 square feet in size, and also enough adjacent land to include employee parking. Ideally, the overall property size should be approximately 45,000 s.f. and should be located near the City of New Bedford downtown area and will be one parcel of a suitable geometry that allows for efficient entrance for a loading dock and required parking for 34 vehicles and the ability to receive and unload a tractor trailer combination with a 53' trailer without street obstruction or require backing in and out of the street delaying traffic. The preferred property should be served by Natural Gas and 3 Phase electric power.

3. Site Conditions:

The subject property should be in full compliance with any and all applicable Federal, State, or local requirements. If present, any environmentally sensitive land should be clearly defined. Preferably, the subject property should have, or be able to reasonably obtain at no cost to the City, clean MGL Chapter 21E: MASSACHUSETTS OIL AND HAZARDOUS MATERIAL RELEASE PREVENTION AND RESPONSE ACT, Phase I/II environmental reports issued within the past 18 months. The preferred proposal will also have a geotechnical evaluation of the property.

4. Costs of Preparing Proposal:

All costs involved in preparing the proposal submittal will be borne by the proposer. The City of New Bedford will not be liable for any costs associated with the creation of the proposal submittal or any supporting documents.

5. Schedule:

Evaluations of the proposals will take place during the sixty (60) day evaluation period. The City expects to choose a site and enter into negotiations with the owner as soon as possible. To ensure adherence to a fairly aggressive schedule for design, the City wishes to close on a property within 1 year (365 days) of the submission opening date.

6. Minimum Submittal Requirements:

Each proposal must contain the following documentation in support:

1. A map showing the subject property and its location near the downtown area
2. A survey prepared by a registered Massachusetts land surveyor showing the metes and

bounds of said property.

3. A notarized statement of ownership.

4. A statement of existing infrastructure on the property including but not limited to sewer, water, type of utilities, telephone/data, vaults, and any easements.

In addition, if the following reports/studies exist, they should be included

5. A copy of any Phase I/II environmental and any geotechnical reports.

End of Section – Scope

Evaluative criteria

All proposed sites will be evaluated based upon specific comparative evaluation criteria. The following point schedule will be utilized:

Highly advantageous: 5 points
Response excels on the specific criterion

Advantageous: 3 points
Response meets evaluation standard for the criterion

Least Advantageous: 1 point
Response does not fully meet the criterion or leaves a question or issue not fully addressed

Does Not Meet: 0 points*
Does not address the criterion

*Proposal is automatically eliminated from further consideration if “0 points” is received in any category.

Comparative criteria

The following comparative criteria will be used to evaluate proposed sites.

1. Location and size of the site

The preferred site for the new Central Kitchen should be located near the downtown area. The subject property should be a minimum of 45,000 square feet in size

- ☒ A site of 45,000 square feet or more located within the area specified in the RFP would be considered highly advantageous.

- ☐ A site of less than 45,000 square feet but greater than 35,000 square feet located within the area specified in the RFP would be considered advantageous.
- ☐ A site of less than 35,000 square feet but greater than 25,000 square feet located within the area specified in the RFP would be considered least advantageous.

2. Site Conditions and Geometry

The subject property should be in full compliance with any and all applicable Federal, State, or local requirements. If present, any environmentally sensitive land should be clearly defined. Ideally the property should be of a suitable geometry that allows for efficient development of the building and required parking. The most desirable property will be one which requires the least grading and/or demolition

- ☒ A site that is relatively flat, has no environmental restrictions, and requires little or no demolition would be considered highly advantageous.
- ☐ A site that is relatively flat, has some environmental restrictions, and requires demolition of simple structures would be considered advantageous.
- ☐ A site that requires substantial grading, has environmental restrictions, and requires heavy remediation and demolition would be considered least advantageous.

3. Ease of Access from Main Thoroughfare(s)

The preferred site will fit into the near designated downtown area without having a negative impact on traffic flow and surrounding properties.

- ☒ A site that has multiple access points for pedestrians and vehicles would be considered highly advantageous.
- ☐ A site that has at least one access point for pedestrians and vehicles would be considered advantageous.
- ☐ A site that has little or no access for pedestrians and vehicles would be considered least advantageous.

4. Site Features

The preferred site would offer natural views and be generally visible to the public. It might offer gathering places and small garden areas.

- ☒ A site positioned so that the Central Kitchen Facility would have a view, be easily visible from surrounding thoroughfares, and not be overwhelmed by surrounding buildings would be considered highly advantageous.
- ☐ A site positioned so that the Central Kitchen Facility would have a view, be

somewhat visible from surrounding thoroughfares, and not be overwhelmed by surrounding buildings would be considered advantageous.

- ☒ A site positioned so that the Central Kitchen Facility would have a partial view, but not be visible from surrounding thoroughfares would be considered least advantageous.

5. Available Infrastructure

- ☒ A site that has water and sewer service and drainage infrastructure that are in reasonable and sound operating condition as well as natural gas service would be considered highly advantageous.
- ☐ A site that has water and sewer service and drainage infrastructure that requires modernizing and natural gas service and would be considered advantageous.
- ☐ A site that has water and sewer service and drainage infrastructure that require modernizing and no natural gas service and would be considered least advantageous.

The Cost Proposal must be submitted in a separate,
sealed envelope as outlined in Instructions to Proposers.

COST PROPOSAL

RFP # 21300038 City of New Bedford School Department Central Kitchen Site Acquisition

Paul A. Piva

(Print Name of Proposer)

449 North Street New Bedford

(Address of Proposed Site)

Size of Property: 1.276 Acres ^{Approximately} 55,582.96 SF
(Building 16,611 SF)

Asking price \$ 1,000,000

Write in Numbers

One Million Dollars

Write in Words

Dollars

Most Recent Appraised Value (if available): \$ N/A

Assessed Value by the City of New Bedford: \$ 718,200

The undersigned agrees that, if he is selected as the most advantageous proposer, he will, within ten (10) days, Saturdays, Sundays, and legal holidays excluded, after presentation thereof by the awarding authority, execute a Notice of Award of contract in accordance with the terms of this Proposal.

The undersigned further certifies under the penalties of perjury that this proposal is in all respects bona fide, fair and made without collusion or fraud with any other person. As used in this subsection the word "person" shall mean any natural person, joint venture, partnership, corporation or other business or legal entity.

The undersigned hereby certifies, under penalty of perjury, that the said undersigned has paid all State Taxes (Income Taxes, Unemployment Taxes, Excise Taxes, Real Estate Taxes, etc., etc.) due in

compliance with the Tax Laws of the Commonwealth of Massachusetts M.G.L. Chapter 30C
Sections 47A thru 49A.

Date: 10/1/20 Company: N/A

Name of Proposer: Paul A. Piva
(Print)

Name of Proposer: Paul A. Piva N/A
(Authorized Signature) (Title)

~~Business~~ ^{Home} Address: 12 Deepwood Drive
MATTAPUSETT, MA 02739

Telephone #: 508-992-5424

Email: STELLA@UPPERDECKLTD.COM

Note: If the proposer is a corporation, indicate the State of Incorporation under the signature and affix the Corporate seal; if a partnership, give full names and residential address if different from the business address.



NOT APPLICABLE

CITY OF NEW BEDFORD
Jonathan F. Mitchell, Mayor

CITY OF NEW BEDFORD
MASSACHUSETTS

VOTE OF CORPORATION AUTHORIZING
EXECUTION OF CORPORATE AGREEMENTS

At a meeting of the Board of Directors of _____ duly called and

held on _____, 20____ at which a quorum was present and acting
throughout, the following vote was duly adopted.

VOTED: That _____, a _____ of the corporation,
be and hereby is authorized to affix the Corporate Seal, sign and deliver in the name and behalf of the
corporation contract documents with the City of New Bedford, the above mentioned documents to include
but not be limited to Bids, Proposals, Deeds, Purchase and Sales Agreements, Agreements, Contracts,
Leases, Licenses, Releases and Indemnifications; and also to seal and execute, as above, surety company
bonds to secure bids and proposals and the performance of said contract and payment for labor and
materials, all in such form and on such terms and conditions as he/she, by the execution thereof, shall
deem proper. A true copy.

ATTEST:

Name (Print)

Signature

(Affix Corporate Seal)

Title

Date

**CITY OF NEW BEDFORD
MASSACHUSETTS**

NON-COLLUSION AND TAX COMPLIANCE FORM

CERTIFICATE OF NON-COLLUSION

The undersigned certified under penalties of perjury that this bid has been made and submitted in good faith and without collusion or fraud with any other person. As used in this certification, the word "person" shall mean any natural person, business, partnership, corporation, union, committee, club or other organization, entity or group of individuals.

Paul A. Pina

Signature of individual submitting bid

NOT APPLICABLE

Name of business/organization

TAX COMPLIANCE CERTIFICATION

Pursuant to M.G.L. c. 62C, §49A, I certify under the penalties of perjury that, to the best of my knowledge and belief, I am in compliance with all laws of the Commonwealth relating to taxes reporting of employees and contractor, and withholding and remitting child support.

Paul A. Pina

Signature of person submitting proposal

NOT APPLICABLE



City of New Bedford
Mayor Jonathan F. Mitchell

CERTIFICATE OF PAYMENT OF STATE TAX

Pursuant to M.G.L. Ch. 62C, sec 49A, I/we certify under the penalties of perjury that I/we have complied with all laws of the Commonwealth of Massachusetts relating to taxes, reporting of employees and contractors, and withholding and remitting child support.

10/1/20
Date

Federal Identification Number

Name of Company

Street

City, State, Zip

Name, Company Officer

Signature, Company Officer

Real Property Disclosure Statement
DISCLOSURE OF BENEFICIAL INTEREST IN REAL PROPERTY
TRANSACTION

This form contains a disclosure of the names and addresses of all persons with a direct or indirect beneficial interest in the real estate transaction described below. This form must be filed with the Massachusetts Division of Capital Planning and Operations, as required by M.G.L. c. 7, §40J, prior to the conveyance of or execution of a lease for the real property described below. Attach additional sheets if necessary.

1. Public agency involved in this transaction: City of New Bedford
[Name of Jurisdiction]

2. Complete legal description of the property:

3. Type of transaction: ✓ Sale _____ Lease or rental for _____ [term]:

4. Seller(s) or Lessor(s): Paul A. Piva

Purchaser(s) or Lessee(s): City of New Bedford

5. Names and addresses of all persons who have or will have a direct or indirect beneficial interest in the real property described above.

Note: If a corporation has, or will have a direct or indirect beneficial interest in the real property, the names of all stockholders must also be listed except that, if the stock of the corporation is listed for sale to the general public, the name of any person holding less than 10 percent of the outstanding voting shares need not be disclosed.

NOT APPLICABLE

Name

Address

_____	_____
_____	_____
_____	_____

None of the persons listed in this section is an official elected to public office in the Commonwealth of Massachusetts, or is an employee of the Division of Capital Asset Management and Maintenance, except as noted below:

NOT APPLICABLE

Name

Title or Position

_____	_____
_____	_____

6. This section must be signed by the individual(s) or organization(s) entering into this real property transaction with the public agency named in Item 1. If the form is signed on behalf of a corporation, it must be signed by a duly authorized officer of that corporation.

The undersigned acknowledges that any changes or additions to Item 4 of this form during the term of any lease or rental will require filing a new disclosure with the Division of Capital Asset and Management and Maintenance within 30 days following the change or addition.

The undersigned swears under the pains and penalties of perjury that this form is complete and accurate in all respects.

Paul A. Piva

Signature

Paul A Piva

Printed Name

NOT APPLICABLE

Title:

10/1/20

Date:

Greetings to the City of New Bedford!

Thank you for sending us the RFP and we are hoping that my property is chosen by the City of New Bedford and its leaders.

My family has never done this type of transaction so we aren't familiar with all the specifics.

We are submitting our documents subject to the language in bold being modified as per the following explanation.

From what we read, it seems to be agreeable excluding the following matter below.

The main concern is the language on page 3 where it specifically says:

"No Vendor may withdraw his/her bid for a period of one year (365 days), excluding Saturdays, Sundays and legal holidays, after the actual date of the opening thereof."

If we understand this correctly, should the City of New Bedford choose another party by 12/31/2020 per these documents, then my family and I would not be able to withdraw our bid and use our property including selling/leasing it out until sometime in April of 2022 but we would still have the obligation of paying the real estate taxes, etc.

As you can understand, this is something we can't agree too. Of course we would be happy to discuss a more practical time frame specifically 3-4 months.

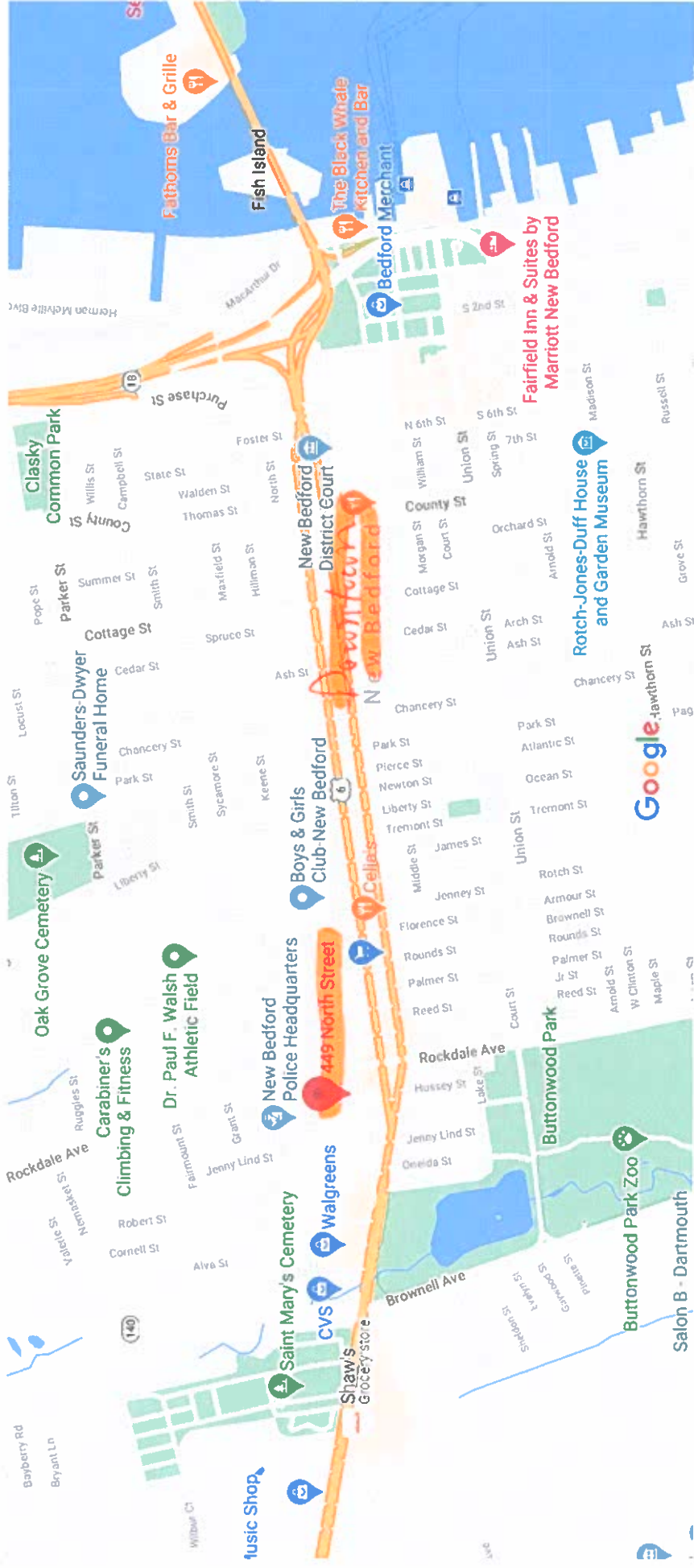
If this is not something the city can agree too, then please disregard our submission and please let us know when we can pick up our submission as it contains our personal information.

If this is agreeable, kindly review and we will hope we are chosen.

Thank you,



Paul A. Piva
Owner



Map data ©2020 1000 ft

approximately

MORTGAGE INSPECTION PLAN

PROPERTY LOCATION: 449 NORTH STREET - NEW BEDFORD, MA



PREPARED BY:

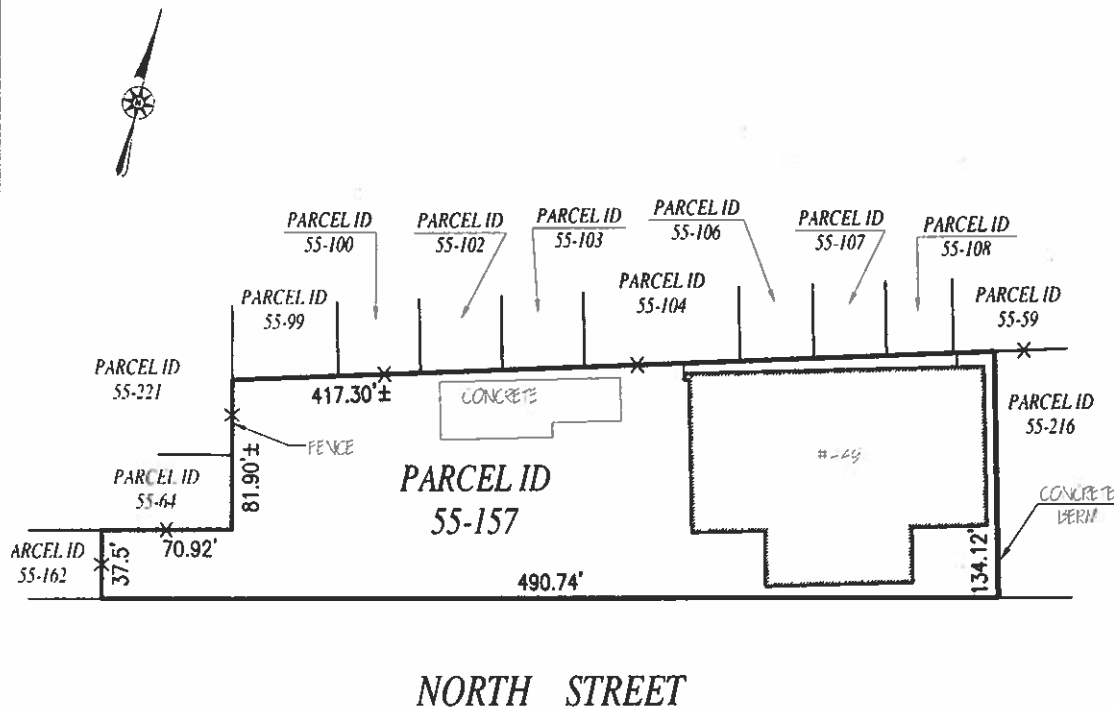


www.FarlandCorp.com

21 VENTURA DRIVE
DARTMOUTH, MA 02747
P.508.717.3479

- ENGINEERING
- SITEWORK
- LAND SURVEYING
- DEVELOPMENT

NOTE: THIS PLAN IS NOT TO BE USED FOR PERMITTING PURPOSES.



NOTE: EXISTING FENCE, CONCRETE, AND CONCRETE BERM APPEAR TO BE CLOSE TO PROPERTY LINE. AN ACCURATE INSTRUMENT SURVEY WOULD BE REQUIRED TO VERIFY THE LOCATION RELATIVE TO POTENTIAL ENCROACHMENT.

REF: DEED BOOK 1816 PAGE 1018

I certify to STELLA XIFARAS and PAUL A. PIVA and that there are no visible encroachments or easements except as shown and that this Plan was prepared under my immediate supervision.

FLOOD DETERMINATION:

By graphic plotting only the BUILDING shown hereon DOES NOT fall within a special flood hazard zone as delineated on the Flood Insurance Rate Map 25005C0389F, effective date: JULY 7, 2009

ZONING DETERMINATION:

Our measurements indicate that the location of the BUILDING shown on this plan is close to the property line. A zoning determination cannot be made without an instrument survey.



SCALE: 1" = 80'

DATE: 09/30/20

JOB NO: 20-602

PLEASE NOTE: The structure(s) as shown on this plot plan are approximate only. An actual survey is necessary for a precise determination of the building location and encroachments, if any exist, either way across property lines. This plan must NOT be used for recording purposes or for use in preparing deed descriptions and must NOT be used for variance or building plan purposes. This plan must NOT be used for locating property lines. Verification of building locations, property line dimensions, fences or lot configuration can only be accomplished by an accurate instrument survey which may reflect different information than what is shown here on. Please note that this is "NOT A BOUNDARY SURVEY" and is "FOR MORTGAGE PURPOSES ONLY".

6. (3)

AFFIDAVIT OF OWNERSHIP:

This is to certify that I, Paul A. Piva, am the owner of 449 North Street, New Bedford, MA 02740, Book #01816 and Page #1018, dated January 16, 1981 in the Bristol County (S.D.) Registry of Deeds.

Paul A. Piva
October 14, 2020

Witness my hand and seal this 14 day of October, 2020

The Commonwealth of Massachusetts

Bristol, ss

October 14, 2020

Then personally appeared the above-named Paul A. Piva and acknowledged the foregoing instrument to be his free act and deed before me.

Sarah L. Storer

Notary Public

My Commission Expires: 7-3-20



6(4)

449 North Street
New Bedford, MA 02740

I have owned the property above for approximately 40 years. To the best of my knowledge, the property has the following:

- a. City sewer & water
- b. Telephone
- c. Easement by the electric company
- d. Three phase electric power
- e. Natural gas
- f. Two loading docks
- g. Six offices
- h. Three showrooms
- i. Huge storage area
- j. Two bathrooms and one full bath with shower
- k. Parking for 75+ cars
- l. Loft storage area

Signed,



Paul A Piva

October , 2020

6. (6)
1816 1018

By *Ed. Pappas*
8-31-88 2197-28

MASSACHUSETTS NOTARIAL PUBLIC (ST. REGISTRATION) 700

443

WABETA REALTY CORP.

a corporation duly established under the laws of MASSACHUSETTS
and having its usual place of business in Boston

Suffolk County, Massachusetts, for consideration paid in the
amount of One Hundred Thirty-Eight Thousand (\$138,000.00) Dollars
grants to PAUL A. PIVA and ROSEMARY PIVA, husband and wife as joint tenants,

of 141 Bellvue Street, New Bedford, MA

with partition covenants

the land is New Bedford, Bristol County, Massachusetts with the building thereon
known as and numbered 443 North Street, New Bedford, Massachusetts containing
two parcels bounded and described as follows:
(See map and description of map)

PARCEL 1

Beginning at the southeast corner of the land hereby conveyed and the
southwest corner of land of Tide Water Associated Oil Company, at a
point in the north line of North Street, distant westerly therein one
hundred six and 18/100 (106.18) feet from its intersection with the
west line of Rockdale Avenue, thence northerly by said land of Tide
Water Associated Oil Company one hundred thirty-four and 12/100
(134.12) feet to the south line of land of Antoni & Carol Okolski;
thence westerly by last named land, land now or formerly of Theresa M.
Malione, land of other owners and land now or formerly of Mary E.
Diamond four hundred seventeen and 30/100 (417.30) feet, more or less,
to the southwest corner of said Diamond land and the northwest corner
of the land hereby conveyed; thence northerly by land now or formerly
of Charles C. and Harriet M. Cornell, Mary E. Seed and another owner
one hundred nineteen and 4/10 (119.4) feet, more or less, to said north
line of North Street, and thence easterly therein four hundred twenty
and 25/100 (420.25) feet to the point of beginning. Containing
82,947 square feet, more or less.

Being the same premises conveyed to the grantor by deed of Hyman Miller
dated October 23, 1847 recorded in Bristol South District Registry of
Deeds Book 931, Page 355.

PARCEL 2

Beginning at a drill hole in the Southwest corner of the premises, said
point being Fifty-nine and 50/100 (59.50) feet from the intersection of the
North line of North Street with the East line of Jenny Lind Street; thence
running northerly thirty-seven and 5/10 (37.5) feet to a stake; thence turn-
ing and running easterly in line of land now or formerly of Mary E. Seed
Seventy and 22/100 (70.22) feet to a stake; and thence turning and running
easterly thirty-seven and 5/10 (37.5) feet in line of land now or formerly
of Wabeta Realty Corp. to the North line of North Street; thence westerly
therein Seventy and 42/100 (70.42) feet to a drill hole and point of begin-
ning. Containing Nine and 73/100 (9.73) square rods, more or less.

Being the same premises conveyed to grantor by William S. Dorney dated
September 2, 1930 recorded in said Deeds at Book 1322, Page 133.

Subject to such restrictions and covenants of record if any there be.

(97)

In witness whereof, the said WARREN REALTY CORP.
has caused its corporate seal to be hereto affixed and these presents to be signed, acknowledged and
delivered to its name and behalf by Howard H. Miller
its President and
its Treasurer being duly authorized, this 11th
day of January in the year one thousand nine hundred and eighty-one.
Signed and sealed in presence of
WARREN REALTY CORP.
Howard H. Miller
by Howard H. Miller, President

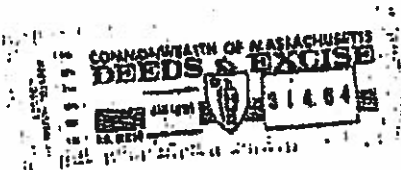
Not a valid instrument of conveyance unless recorded in the Registry of Deeds for the County of Suffolk, Massachusetts.

The Commonwealth of Massachusetts
Suffolk, ss. January 19 81
Then personally appeared the above named Howard H. Miller, President and Treasurer
and acknowledged the foregoing instrument to be the free act and deed of the Warren Realty Corp.

Before me

My commission expires

Sept 22 "83



Received & Recorded Jan. 16, 1981 at 9 hrs. 6 min. P.M.
Attest John Gomes Register

1001816 1019

34



Item Title:

COMMUNICATION - PETITION & LETTER - WHALING CITY GOLF COURSE

Item Detail:

11. COMMUNICATION, Council President Lopes, submitting a signed petition and letter regarding the status of the Whaling City Golf Course and the proposed advanced manufacturing campus on Hathaway Road. (To be Received and Placed on File.)

Additional Information:

ATTACHMENTS:

Description	Type
PETITION & LETTER,	Cover Memo

February 4, 2021

Honorable City Council President Joseph P. Lopes
133 William Street
New Bedford, Massachusetts 02740

Dear City Council President Lopes,

We, the undersigned, are submitting this letter concerning the future status of the Whaling City Golf Course as it relates to the proposed advanced manufacturing campus. Our recommendation is to keep an 18-hole full length golf course configuration at the site no matter the circumstances surrounding this or other uses of the property on Hathaway Road. This recommendation is based on the idea that operating a full length 18-hole golf course is the most optimal way of keeping this city enterprise as a functioning going concern to serve the recreational public golfing needs of the city and the surrounding region. This can only be accomplished with an 18-hole golf course and is compatible with any increased interest in 9-hole play. A full length 18-hole golf course is better positioned logistically for the golfing public and financially for the city to handle this trend, with two nines available for play as opposed to a 9-hole facility with only one nine available for play, while continuing to accommodate all other forms of golfing activity efficiently.

The trend in 9-hole play is not indicative of the whole number of rounds played. The number of 9-hole rounds played to date in 2020 according to the National Golf Foundation as a percentage of all rounds played, 18-holes or 9-holes, is 33% for people considered core golfers that play 8 or more rounds per year. The occasional golfer, those that play less than 8 rounds per year, their 9-hole rounds played still do not represent a majority of all their rounds played with 48% of their rounds as 9-holes and 52% of their rounds as 18-hole rounds. The 33% 9-hole rounds played figure closely resembles the number of 9-hole rounds played by all golfers using Whaling City Golf Course in 2020 versus all rounds, 18 or 9 holes, combined.

The golf industry has responded to these nationwide statistics with the facilities available for play across the country. In 1974 there were more 9-hole courses than 18-hole or more courses in the United States, today 9-hole courses have fallen to only 25% of the total golfing facilities in the United States. There is a small increased trend toward playing nine holes but the industry is accommodating the trend with 18-hole golf courses. This is how this trend should be addressed and it is how Whaling City Golf Course currently addresses this trend. Whaling City Golf Course accommodates weekday night leagues during its peak 9-hole play in the summer months for its core golfers. Those new golfers that play 48% of their golf as 9-hole rounds and other golfers not participating in leagues are accommodated on the second nine holes at Whaling City Golf Course's 18-hole golf course during this peak period.

Keeping Whaling City Golf Course as an 18-hole course is the best way to accommodate all forms of golfing at the Hathaway Road site now and in the future, under any land use circumstances including an advanced manufacturing campus as proposed, to keep it a viable recreational and financial enterprise as part of the New Bedford Park Department's portfolio of assets.

Sincerely,

Name	Address	Signature
James Camacho	48 MASSACOTT AVE, FAIRHAVEN, MA 02719	James Camacho
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RONALD J. LUNDEN	128 HOWLAND RD THVN	Ronald J. Lunden
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Patricia A. Hickman	242 Pitman St NB	Patricia A. Hickman



Item Title:

NO ITEMS ON THIS AGENDA

Item Detail:

NO ITEMS ON THIS AGENDA.

Additional Information: