



## **CITY OF NEW BEDFORD, MASSACHUSETTS**

**MEETING:** COMMITTEE ON CITY PROPERTY  
**DATE:** OCTOBER 29, 2024  
**TIME:** 7:00 P.M.  
**PLACE:** CITY COUNCIL CHAMBER, ROOM 214

**PRESENT:** COUNCILLORS MARIA GUESTA, CHAIR; IAN ABREU;  
DEREK BAPTISTE (7:13) SHANE BURGO; NAOMI  
CARNEY; LEO CHOQUETTE; BRIAN GOMES (7:13);  
JOSEPH LOPES; LINDA MORAD; RYAN PEREIRA

**ABSENT:** SHAWN OLIVER

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Councillor Giesta called the Committee on City Property meeting to order, took attendance, and explained that the meeting was being recorded and live-streamed. The Clerk read a letter into the record from Councillor Oliver explaining his absence. The Communication was received and placed on file by Councillor Lopes and seconded by Councillor Pereira.

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COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER, authorizing the Mayor to execute an easement from the City of New Bedford to NSTAR Electric Company d/b/a Eversource Energy for the purpose of installing and maintaining utility services for the EV Station at New Bedford High School located at 230 Hathaway Road. (Referred – September 26, 2024.) (Matter ID #1551)

AN ORDER, (Referred – September 26, 2024.) (Matter ID #1552)

The Chair recognized Mark Champagne, Facilities Project Coordinator for the School Department.

Mr. Champagne explained that the Eversource Energy representative scheduled to be present at this meeting was on medical leave. That is the reason he was present to explain the work that is to be done as a result of the School Departments request.

The Chair made mention of an email received from NSTAR Electric Company explaining the absence of their representative.

On motion by Councillor Pereira and seconded by Councillor Lopes the Committee VOTED: To receive and place on file the Email/Communication from Eversource Energy.

Mr. Champagne said there is a lot at 230 Hathaway Boulevard, New Bedford High School, that would be used as a bus charging terminal. The lot is located in the parking lot between the Hetland Skating Rink and the High School. The easement request is for Eversource to bring their powerline onto the property to service twenty-eight charging stations. These stations will service twenty-four buses and four vans.

Councillor Morad asked where the construction was being done. She was told in the parking lot by the solar panels. Mr. Champagne said the work would be done by Eversource Energy. He was asked how long the job would take and how it would affect traffic as Councillor Morad noted that at certain times of the day this is a very busy area. Mr. Champagne said a small section of the street would be closed for one day and the rest of the work would be done on the property.

The street disturbance would be planned around the start and the end of the school day. They hope to have the project completed by the end of November or early December.

On motion by Councillor Lopes and seconded by Councillor Abreu, the Committee VOTED: To recommend to the City Council ADOPTION of the ORDER, authorizing the Mayor to execute an easement from the City of New Bedford to NSTAR Electric Company d/b/a Eversource Energy for the purpose of installing and maintaining utility services for the EV Station at New Bedford High School located at 230 Hathaway Road.

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COMMUNICATION, Mayor Mitchell, to City Council submitting a REQUEST FOR PROPOSAL for Police Station #2, located at 170 Cove Street. (Referred – March 14, 2024.) (Matter ID #0316) (April 09, 2024 – Remain in Committee.) (June 11, 2024 – Remain in Committee.)

REQUEST FOR PROPOSAL, disposition and development of Police Station #2, 170 Cove Street. (Referred – March 14, 2024.) (Matter ID #0317) (April 09, 2024 – VOTE: send a communication to all department heads inquiring if the property is needed for municipal purposes; Remain in Committee.) (June 11, 2024 – VOTE: To determine that the property is not currently needed for municipal purposes; VOTE: That the City offer the property for sale; VOTE: That the Purchasing Department proceed with issuing the RFP; Remain in Committee.)

PROPOSAL FOR DISPOSITION, DEVELOPMENT and ACQUISITION for the Police Station #2, 170 Cove Street, a bid proposal was received from Historic Built, 75A Cummins Highway, Boston, MA 02131, for the purchase of the police station located at 170 Cove Street in the amount of \$100.00. (Received – August 29, 2024.)

On motion by Councillor Burgo and seconded by Councillor Lopes, the Committee VOTED: To receive and place on file the COMMUNICATION, REQUEST FOR PROPOSAL, PROPOSAL FOR DISPOSITION, DEVELOPMENT and ACQUISITION of the property at 170 Cove Street, New Bedford, MA.

The Chair recognized Joshua Amaral, Director, Housing and Community Development, who provided the body with an overview of the submission of Historic Built, 75 Cummins Highway, Boston, MA. Mr. Amaral stated that this Request For Proposal (RFP) predated his assuming the office as Director of Housing and Community Development. He said this is the third attempt at an RFP and the only offer to be received on the property.

Mr. Amaral provided the Committee with a summary of the RFP review based on the applicant's submission. Historic Built's financial capacity was advantageous. Their likelihood of completing the project was found not to be advantageous, due to the securing of State and Federal Tax credits. They found the quality of design and construction to be advantageous as the design includes adding a second floor. The economic and commercial benefits to the area was found to be advantageous. The project Pros: Intriguing design at an otherwise unutilized site, developer with a commitment to New Bedford and background in housing finance and management. Cons: Financing plan relies on historic tax credits that may not be available given the addition of a second story. Evidence does not substantiate experience with a similar scale project. Low price proposal.

Councillor Pereria asked Director Amaral outside of the tax credits, is he confident that the other financials could come to fruition. The Director stated he was confident that they could, but the grant programs are competitive. He stressed it is common for a developer to assume they would get grant X, Y and Z and only get X and Y. He did acknowledge that there are ample resources out there to construct housing.

Councillor Lopes asked about the subsidies the applicant was requesting which included a Brownfield Loan. He wanted to know how many Brownfield Loans the City has given out to entities. Councillor Lopes was told there have been some given out, but the City has funding available, which could be used, for example for asbestos and lead removal. Mr. Amaral went on to say that you would not normally think of a housing development as a Brownfield Site; however, you can use this type of funding for a project such as this.

Councillor Pereira asked City Solicitor Eric Jaikes if the developer does not meet certain requirements laid out in the RFP, if would the property revert back to the City. Attorney Jaikes stated it would, but only after much litigation.

Councillor Morad asked Attorney Jaikes if there was any claw back language in the RFP agreement should the developer be unable to meet the guidelines in the RFP. The Solicitor was unable to answer Councillor Morad's question because he had not read the entire RFP. The Councillor expressed concern that he had not read the RFP, especially since they have been available for some time. She stated she had read the RFP, and it did not include any claw back language.

Councillor Lopes stated his concern was that this project would turn into another Hillman Street Civil Defense Building scenario, where an RFP is issued, awarded and nothing is done for four years. The RFP is issued again, and nothing has been done for another two years, and the price of the project increases from \$1.8 million seven years ago to \$2.9 million today. Councillor Lopes stated if the Committee does not act on the property now, it could very well end up becoming a parking lot, and Solicitor Jaikes agreed.

The Chair recognized Molly Gilfeather Rodriguez, Purchasing Director, who stated that the RFP in question did not have any claw back language. There wasn't any draft Purchase and Sale agreement in the RFP which led her to believe that claw back language could be added to the agreement. She emphasized that the property was put out for an RFP three times over a number of years, being sent out to over a thousand developers, which resulted in this being the only offer ever received on this property.

Councillor Morad asked how many entities pulled the actual RFP. She was told twenty, and of the twenty, only one application was submitted. Ms. Gilfeather Rodriguez again stated that it had been sent out to over a thousand developers. Councillor Morad asked if the developer had been reference checked. She was told the City did perform a reference check.

The Chair recognized the developer, Mr. Ravi Parmar, Historic Built, 75 Cummins Highway, Boston, MA 02131.

Councillor Pereira asked the applicant for his plan to finance the project. Mr. Parmar explained he listed the subsidies heavily because he went on the high side of construction costs. He stressed that even if the subsidies did not come through, he believed that removing the second-floor development portion of the project would still allow him to move forward. Councillor Pereira said based on his review of the applicants funding schedule, the winter of 2025 would be the last to come into fruition. He was told that was true. Councillor Pereira asked when the construction process would begin. Mr. Parmar stated he was lining up funding and the start of construction would fall in line with the RFP requirements. He stated he believed it would be twelve months once entering into an agreement with the City.

Councillor Lopes expressed concern about the \$500,000.00 per unit build price.

Mr. Parmar agreed and stated that the figure was based on Boston development figures, but that he believed with tax credits it would be reduced significantly for the New Bedford project. The applicant believes the project to be worthwhile and he does not see how waiting on such a plan would be beneficial to anyone. He does find the timeline within the RFP though aggressive, doable. If an extension is needed, he would look for one because he does not intend to abandon the project. Councillor Lopes asked if there was a finance scenario in place if he decided to scrap the second-floor idea. He was told there was.

Councillor Morad asked a series of questions that dealt with the applicants experience as a developer. He acknowledged that his company was founded in early 2024. He also confirmed that he had three projects in the works, presently all of them housing units. One project is in the application phase, the second is waiting on allocation of the historic tax credits and the third project will be breaking ground in the Spring. Councillor Morad asked how many people he had working on his team and was told it was just himself. Councillor Morad expressed concern about his taking on another project where his company is so new. She also expressed concern about the bid amount for the building along with the fact that the agreement did not have a claw back provision. The applicant responded that though the bid was low, the investment and development in the area would be the reward.

Councillor Pereira asked Legal Counsel David Gerwatowski if the Committee could add the request that claw back language be added to the Purchase and Sales Agreement. Attorney Gerwatowski stated that the Committee could.

Councillor Pereira made a motion, seconded by Councillor Baptiste, that the proposal submitted by Historic Built is hereby selected as the successful proposal submitted pursuant to a REQUEST FOR PROPOSAL for the property owned by the City at 170 Cove Street, New Bedford, MA.

On the question, Councillor Morad spoke in opposition to the motion. She realized that this is an important piece of development in Ward Six, her concern is that this is a new company that does not have a great deal of experience and has a lot of projects. She further expressed concern that the developer is relying on a lot of outside money to move this project forward. She stated she would like to see the property be offered again through the RFP process.

Councillor Morad made a motion, seconded by Councillor Burgo, that the Committee table the matter at this time.

On a point of information, Councillor Pereira asked the maker of the motion to withdraw her request to table the item, so that he may speak on the matter.

Councillor Morad withdrew her motion.

Councillor Pereira was recognized and stated he appreciates his colleague's comments, however, the City has attempted to sell this property numerous times and now has a developer interested. Councillor Pereira said that every business needs to start somewhere. He felt that adding claw back language into the agreement would ensure that the project moved forward.

On motion by Councillor Morad and seconded by Councillor Burgo, the Committee VOTED: To table the matter at this time. This motion FAILED on a roll call vote of Yeas 2, Nays 8. (Councillors Burgo and Morad IN FAVOR.)

On motion by Councillor Pereira and seconded by Councillor Baptiste, the Committee VOTED: To recommend to the City Council APPROVAL of the proposal submitted by **Historic Built, 75A Cummins Highway, Boston, MA 02131**, for a REQUEST FOR PROPOSAL for the property owned by the City of the New Bedford at 170 Cove Street. This motion passed on a roll call vote of Yeas 8, Nays 2. (Councillors Burgo and Morad OPPOSED.)

On motion by Councillor Pereira and seconded by Councillor Baptiste, the Committee VOTED: That the City Council ADOPT an ORDER, that the Committee on City Property recommend APPROVAL of the sale of 170 Cove Street, New Bedford, MA, pursuant to the proposal selected by the Committee and hereto attached; and further, that the City Council authorize the Mayor and the City Solicitor to execute the sale pursuant to the attached proposal, and that the Purchase and Sale agreement include a reverted claw provision if certain benchmarks are not met. This motion passed on a roll call vote of Yeas 8, Nays 2. (Councillors Burgo and Morad OPPOSED.)

On motion by Councillor Lopes and seconded by Councillor Baptiste, the Committee VOTED: That the City Council take “**NO FURTHER ACTION**” on the Communication by the Mayor and the REQUEST FOR PROPOSAL for the disposition and development of Police Station #2, 170 Cove Street, New Bedford, MA. This motion passed by a voice vote.

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COMMUNICATION, Mayor Mitchell, to City Council submitting a REQUEST FOR PROPOSAL for Fire Station #3, located at 834 Kempton Street. (Referred – March 14, 2024.) (Matter ID #0318) (April 09, 2024 – Remain in Committee.) (June 11, 2024 – Remain in Committee.)

REQUEST FOR PROPOSAL, disposition and development of Fire Station #3, 834 Kempton Street. (Referred – March 14, 2024.) (Matter ID #0319) (April 09, 2024 – VOTE: send a communication to all department heads inquiring if the property is needed for municipal purposes; Remain in Committee.) (June 11, 2024 – VOTE: To determine that the property is not currently needed for municipal purposes; VOTE: That the City offer the property for sale; VOTE: That the Purchasing Department proceed with issuing the RFP; Remain in Committee.)

PROPOSAL FOR DISPOSITION, DEVELOPMENT and ACQUISITION for the Fire Station #3, 834 Kempton Street, a bid proposal was received from CMK Development Partners, 122 Clinton Street, New Bedford, MA 02740, for the purchase of fire station located at 834 Kempton Street in the amount of \$5,000.00 (Received – August 29, 2024.)

PROPOSAL FOR DISPOSITION, DEVELOPMENT and ACQUISITION for the Fire Station #3, 834 Kempton Street, a bid proposal was received from South Coast Investments, Inc., 45 Slocum Road, Suite 3, Dartmouth, MA 02747, for the purchase of the fire station, located at 834 Kempton Street, into 8 residential apartments in the amount of \$50,000.00. (Received – August 29, 2024.)

On motion by Councillor Burgo and seconded by Councillor Abreu, the Committee VOTED: To receive and place on file the COMMUNICATION, REQUEST FOR PROPOSAL for DISPOSITION, DEVELOPMENT and ACQUISITION of 834 Kempton Street, New Bedford, MA by CMK Development Partners and a PROPOSAL for DISPOSITION, DEVELOPMENT and ACQUISITION of the same property by South Coast Investments, Inc.

The Chair recognized Joshua Amaral, Director, Housing and Community Development, who gave an overview of the REQUEST FOR PROPOSAL process and provided the worksheet scores for each of the developer's proposal.

CMK Development Partners, the Financial Capacity, for this project, was not provided by the applicant. Likelihood to complete timely: Advantageous, Quality of design and construction: Advantageous, Economic and Commercial Benefit: Highly Advantageous, Overall ranking: Advantageous. Pros; Experience and proven ability, experience in subsidy. Cons: proposal does not include sources and uses or site plan. Timeline longer because of subsidy, relatively low-price proposal.

South Coast Investments, Inc., Financial Capacity: Advantageous, Likelihood to complete timely: Highly Advantageous, Quality of design and construction: Highly Advantageous, Economic and Commercial Benefit: Highly Advantageous, Overall rating: Advantageous. Pros: adequate acquisition cost, shorter timeline (18 months) without subsidy. Project cost substantially lower thus not requiring subsidy, (design/build capacity). Cons: Entity experience with smaller projects, development team has larger projects.

The Chair recognized David Silveira of South Coast Investments, Inc.

Councillor Pereira, in looking over the financial statement provided, asked if the \$1.3 million quoted is to be privately funded and would his company be able to develop the property at that price.

Mr. Silveira stated that his company is a design and build company and has previous experience in redeveloping older buildings, and mentioned the Bijou Theatre in Fairhaven, MA. As far as the lending portion of the project, Mr. Silveira stated that he has relationships with multiple lenders in the area and has been in discussion with a few regarding the funding of this project. Mr. Silveira said they do not utilize the subsidy track as the project is pretty straightforward for them. Councillor Pereira asked if the developer was confident that they would be able to maintain the timeline in the RPF. He was told that they were but that is all relative to the municipality and its permitting process. Councillor Pereira asked from the time the permits were obtained to the actual financing of the project how long Mr. Silveira would estimate the completion time to be. He was told approximately eighteen months depending on the permitting process.

Councillor Abreu asked the applicant to confirm that the plan included four one-bedroom units and four two-bedroom units. He was told that was correct. Councillor Abreu asked if the market monthly rate was akin to the project costs. He was told that it was.

Councillor Lopes asked whether the price per unit was low at \$100,000.00, and does Mr. Silveira feel confident that he will be able to execute a design of an old building for a little over \$1 million. Mr. Silveira stated that based on his years working in the Greater New Bedford area he believes he can do it for that price.

The Chair recognized Gerry Kavanaugh of CMK, Development Partners, 122 Clinton Street, New Bedford, MA.

Councillor Pereira stated that in this particular submission he did not see a financial breakdown for the proposal. Mr. Kavanaugh indicated that for some reason it was not previously submitted, but he had the information with him at this meeting. Councillor Pereira asked what the estimated costs would be. He was told \$3 million of which conventional debt would be \$1 million, State Historic Tax Credits of just under \$1 million and public funding of about \$1 million.

Councillor Abreu asked if the developer would be able to handle bumps in the road when it comes to the redevelopment of an older building of this type. Mr. Kavanaugh responded that he believes they are able to handle such bumps. Mr. Kavanaugh stated that when it comes to a building like this, the RFP was very specific that the historical integrity of the building remain intact, complying with the Secretary of the Interior's guidelines which can add to the cost. The second issue is that old, brick buildings may look uncomplicated but become problematic due to the condition of the exterior brickwork and the interior condition as far as contaminants.

Councillor Lopes asked Attorney Gerwatowski if the Committee could accept the financial breakdown from Mr. Kavanaugh. Attorney Gerwatowski stated that the bids have been submitted with their documentation and that the Committee should not amend them by receiving new information. Legal Counsel Gerwatowski said you are free to ask the developer questions about financing, but not to receive new information to be received and placed on file.

On motion by Councillor Pereira and seconded by Councillor Carney, the Committee VOTED: To recommend to the City Council APPROVAL of the proposal submitted by **South Coast Investments Inc., 45 Slocum Road, Suite 3, Dartmouth, MA 02747**, and is hereby selected as the successful proposal submitted pursuant to a REQUEST FOR PROPOSAL for the property owned by the City of New Bedford at 834 Kempton Street, New Bedford, MA. This motion passed on a roll call vote of Yeas 10, Nays 0.

On motion by Councillor Pereira and seconded by Councillor Carney, the Committee VOTED: That the City Council ADOPT an ORDER, that the Committee on City Property recommend APPROVAL of the sale of Fire Station #3, 834 Kempton Street, New Bedford, MA, pursuant to the proposal selected by the Committee and hereto attached; and further, that the City Council authorize the Mayor and City Solicitor to execute the sale pursuant to the attached proposal. This motion passed on a roll call vote of Yeas 10, Nays 0.

On motion by Councillor Lopes and seconded by Councillor Baptiste, the Committee VOTED: That the City Council take **"NO FURTHER ACTION"** on the COMMUNICATION and the REQUEST FOR PROPOSAL, by Mayor Mitchell, for the disposition and development of Fire Station #3, located at 834 Kempton Street, New Bedford, MA. This motion passed by a voice vote.

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COMMUNICATION, Mayor Mitchell, to City Council submitting a REQUEST FOR PROPOSAL for Fire Station #11, located at 754 Brock Avenue. (Referred – March 14, 2024.) (Matter ID #0320) (April 09, 2024 – Remain in Committee.) (June 11, 2024 – Remain in Committee.)

REQUEST FOR PROPOSAL, DISPOSITION and DEVELOPMENT of Fire Station #11, 754 Brock Avenue. (Referred – March 14, 2024.) (Matter ID #0321) (April 09, 2024 – VOTE: send a communication to all department heads inquiring if the property is needed for municipal purposes; Remain in Committee.) (June 11, 2024 – VOTE: To determine that the property is not currently needed for municipal purposes; VOTE: That the City offer the property for sale; VOTE: That the Purchasing Department proceed with issuing the RFP; Remain in Committee.)

PROPOSAL FOR DISPOSITION, DEVELOPMENT and ACQUISITION for the Fire Station #11, 754 Brock Avenue, a bid proposal was received from **CMK Development Partners and WHALE, 122 Clinton Street, New Bedford, MA 02740**, for the purchase of the Fire Station located at 754 Brock Avenue in the amount of \$5,000.00. (Received - August 29, 2024.)

PROPOSAL FOR DISPOSITION, DEVELOPMENT and ACQUISITION for the Fire Station #11, 754 Brock Avenue, a bid proposal was received from Gwozdz Development, 84 Spring Street, Suite 1, New Bedford, MA 02740, for the purchase of the fire station located at 754 Brock Avenue in the amount of \$50,000.00. (Received – August 29, 2024.)

On motion by Councillor Carney and seconded by Councillor Lopes, the Committee VOTED: To receive and place on file the COMMUNICATION, REQUEST FOR PROPOSAL, PROPOSAL FOR DISPOSITION, DEVELOPMENT and ACQUISITION, of 754 Brock Avenue, New Bedford, MA, from CMK Development and WHALE and a PROPOSAL FOR DISPOSITION, DEVELOPMENT and ACQUISITION from Gwozdz Development for the same property.

The Chair recognized Joshua Amaral, Director, Housing and Community Development, who gave an overview of the RFP process and provided the worksheet scores for each of the developer's proposal.

CMK Development Partners and WHALE, 122 Clinton Street, New Bedford, MA 02740: Financial Capacity: Highly Advantageous, Likelihood to complete timely: Advantageous, Quality of design and construction: Advantageous, Economic and Commercial Benefit: Highly Advantageous, Overall ranking: Advantageous. Pros; Experience and proven ability, experience in subsidy. Cons: proposal does not include preliminary site plan. Timeline longer because of subsidy (longer than 24 months), relatively low-price proposal.

Gwozdz Development, 84 Spring Street, Suite 1, New Bedford, MA 02740, Financial Capacity: Advantageous, Likelihood to complete timely: Advantageous, Quality of design and construction: Highly Advantageous, Economic and Commercial Benefit: Highly Advantageous, Overall rating: Advantageous. Pros: adequate acquisition cost, timeline shorter without subsidy. Project cost substantially lower thus not requiring subsidy, (design/build capacity). Cons: Entity experience with smaller projects, development team has larger projects.

The Chair recognized Gerry Kavanaugh of CMK Development Partners.

In addressing Mr. Kavanaugh, Councillor Pereira said that while looking at the funding sources which include Community Preservation Act funding, State and Federal tax credits, he saw multiple rounds of those funding sources. If he was correct, how does Mr. Kavanaugh feel about the timeline in getting this project done on time. Mr. Kavanaugh replied that he was confident about the timeline and there would not be to his knowledge, the necessity for multiple submissions of funding for tax credits.

The Chair recognized Christian Gwozdz-Silveira, President, Gwozdz Development, LLC.

Councillor Pereria asked the developer since the project totaled under \$1 million, was he confident that the amount is enough to get the proposed project completed. Mr. Gwozdz stated he was confident as all estimating is done inhouse and that his firm is constantly updating all of their pricing to reflect current construction rates, sometimes even daily. He explained that he recently completed a rehabilitation project of Ready Dental in Downtown New Bedford. This proposal is obviously a different type of building, but it is very similar in age to the Fire Station at 754 Brock Avenue, and the cost per unit for the Downtown project was below what he had proposed for this project. He has met with his financial lender and have determined that this project is financially feasible.

On motion by Councillor Pereira and seconded by Councillor Carney, the Committee VOTED: To recommend to the City Council APPROVAL of the proposal submitted by **Gwozdz Development, 84 Spring Street, New Bedford, MA 02740**, is hereby selected as the successful proposal submitted pursuant to an RFP for the property owned by the City at 754 Brock Avenue, New Bedford, MA. This motion passed on a roll call vote of Yeas 10, Nays 0.

On motion by Councillor Pereira and seconded by Councillor Carney, the Committee VOTED: That the City Council ADOPT an ORDER, that the Committee on City Property recommend APPROVAL of the sale of 754 Brock Avenue, New Bedford, MA, pursuant to the proposal selected by the Committee and hereto attached; and further, that the City Council authorize the Mayor and City Solicitor to execute the sale pursuant to the attached proposal. This motion passed on a roll call vote of Yeas 10, Nays 0.

On motion by Councillor Lopes and seconded by Councillor Baptiste, the Committee VOTED: That the City Council take “**NO FURTHER ACTION**” on the COMMUNICATION and REQUEST FOR PROPOSAL by Mayor Mitchell for the disposition and development of Fire Station #11, located at 754 Brock Avenue, New Bedford, MA.

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Councillor Burgo made a motion to adjourn, which was seconded by Councillor Pereira.

This meeting adjourned at 8:24 p.m.

ATTEST:

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Denis Lawrence Jr.  
Clerk of the Committees