REQUEST FOR PROPOSALS # 20145045
Disposition and Development

FORMER DUNBAR SCHOOL
338 Dartmouth Street
New Bedford, Massachusetts

RFP Issued: November 27, 2019
Proposal Deadline: January 03, 2020 11:00 a.m.

Prepared by:
City of New Bedford
Department of Housing and Community Development
CITY OF NEW BEDFORD, MASSACHUSETTS
ADVERTISEMENT

REQUEST FOR PROPOSAL

The City of New Bedford, through the Office of the Treasurer/Collector, is soliciting proposals from qualified developers for the former Dunbar School located at 338 Dartmouth Street, New Bedford, MA. City of New Bedford Assessor’s Map 23: Lot 60.

Sealed proposals will be received by the Purchasing Department, in the office of the Purchasing Agent, Room 208, City Hall, 133 William Street, New Bedford, Massachusetts, 02740, during business hours, until the date and time of the bid opening.

PROPOSAL OPENING
Proposals will be opened January 03, 2020 at 11:00 A.M. Prevailing Time

This Request for Proposals (RFP) invites qualified developers, to submit proposals to acquire and develop the former Dunbar School located at 338 Dartmouth Street, New Bedford, MA. City of New Bedford Assessor’s Map 23: Lots 60 as described in this RFP.

RFP application materials and other related documents may be obtained and/or examined on or after 8:00 a.m., Wednesday November 27, 2019, by visiting the City of New Bedford webpage www.newbedford-ma.gov/purchasing or by emailing purchasing@newbedford-ma.gov.

The developer selection will be awarded within thirty (30) days after the proposal opening. The time for award may be extended by mutual agreement between the City and the awarded Proposer.

Five copies of the proposal shall be returned in a sealed envelope clearly marked "Former Dunbar School Development Proposal" on the outside of the envelope. All proposals submitted become the property of the City of New Bedford and will be subject to applicable Public Record Laws. Only complete applications will be considered.

No Proposer may withdraw his/her bid for a period of thirty (30) days, excluding Saturdays, Sundays, and legal holidays, after the actual date of the opening thereof.

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

Proposals must include ALL DOCUMENTS required by the Request for Proposal. The Awarding Authority reserves the right to waive any informality, reject any or all proposals, or accept other than the lowest priced proposal.

Site Tour: A NON-MANDATORY site Visit has been schedule for Thursday December 5, 2019 at 10:00 a.m. at the site location 338 Dartmouth Street, New Bedford, MA 02740.
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SECTION I:
INTRODUCTION AND DESCRIPTION

1.00 Introduction

The City of New Bedford ("the City") seeks sealed proposals from qualified parties for the purchase and redevelopment of the former Dunbar School property, a .875-acre parcel located in a primarily residential neighborhood in New Bedford’s south end. The parcel consists of a vacant building situated on an approximately .875 acres, more or less, and is located at 338 Dartmouth Street, New Bedford. It is located in a mixed-use district in a predominately residential area. The property is identified on the New Bedford’s Assessors Records as Map 23 Lot 60. The building is currently vacant. Specifically, the City intends to sell the site to a development entity that will redevelop the property and generate property tax revenue in the long term. The property is currently zoned for residential uses, but the City is willing to consider alternative uses that might require zoning amendment(s) or other relief.

**DUNBAR SCHOOL**
338 Dartmouth Street

**Property and Area Description**

This property is shown on the City of New Bedford Assessor’s Map 23 Lot 160.

2019 Assessed Value: $1,167,800

**Zoning:** Current zoning is split between Mixed Use Business (MUB) on the west portion of the lot and Residence C (RC) to the east. MUB allows single, two and multifamily residential use as well as various commercial uses as a matter of right. RC allows single, two and multifamily residential use as well as certain types of Institutional uses as a matter of right.

Note: If the site is used for a non-residential use, the site will require a Special Permit for Commercial Parking in a Residential District in accordance with the City Ordinance.

**SECTION 3000. GENERAL REGULATIONS.**

3149. Special Permit for Commercial Parking in Residential Districts. Commercial parking may be allowed on residentially zoned property, held in common ownership and located immediately adjacent to the commercial business to which it is to serve, upon the issuance of a special permit by the Zoning Board of Appeals, if the Board finds that said parking is not detrimental to public health and safety, and that said parking promotes a public benefit. (Ord. of 12-23-83, § 3)

A listing of allowed uses and uses by special permit can be accessed on the City Website:

*Municipal Code of Ordinances - Chapter 9 - Comprehensive Zoning - Table of Principle Use Regulation*
Utilities: Public water, sewer, natural gas and electricity are available at the property. A 10,000-gallon underground oil tank located at the rear of the building services the heating system.

Lot area: .875 acres

Building Area: approximately 20,390 square feet

Year Built: 1898

Current Use: vacant (last use school)

Current Tenants: 0

Area Description: The property is located on a primary commercial corridor which is also a Gateway from the nearby town of Dartmouth into the city’s downtown district. Dartmouth Street and its adjoining streets comprise an energetic, mix-use neighborhood with a wide variety of retail businesses, institutions, restaurants and a public park located on a public bus route.

The property is situated in a dense neighborhood of multi-family homes. The Dartmouth Street neighborhood has a population of approximately 5,500 people with the land use comprised primarily of residential (2700 units of housing) with a mix of land parcels designated as commercial/mixed use and industrial.
1.03 Conditions of Property:

The property available for disposition is available “AS IS” and the City of New Bedford will not make improvements or changes to the property as a condition of the sale. Conveyance to the successful Proposer shall be subject to all restrictions and conditions of record, insofar as they may be in force and applicable to said parcel(s), and to any contamination as defined in Massachusetts General Laws, Chapter 21E as set forth below.

**Current Condition:** The structure is in sound condition. It is a two-story, brick masonry wall building on a raised basement level, with pitched roofs at varying heights. The building was designed as a wood-framed structure on interior and exterior load bearing masonry walls. The foundation is granite stone of various widths with undetermined footing construction. The roof structure is comprised of wood rafters at various pitches supported by heavy timber valley rafters.

The building masonry façade remains virtually unchanged since the original construction with the exception of new exterior doors and windows. The brick exterior is in fair condition and the joints require repointing. The exterior doors and windows are aluminum and the windows are thermally broken, and the glazing consists of plexiglass, not insulated glass, with several areas of clouding. The exterior doors are of solid insulated construction. The pitched roof retains its original slate tiles.

The building is situated on a 38,115 square foot lot and has a gross footprint of 6,700 square feet and a total square footage of 23,390 square feet. The building plan consists of four classrooms symmetrically placed on either side of a central corridor on the first and second levels. The basement area consists of a cafeteria, restrooms, and boiler room. The interior retains its original varnished wood and plaster finishes. The building is not handicap accessible and there is a partial automatic sprinkler system.

**Historical Significance:** The George H. Dunbar School was built at the end of the 19th century at the height of the city’s textile manufacturing. Two large textile mills were located nearby and two- and three-story tenement housing was built in the area in response to the influx of mill workers. As the labor-intensive textile industry expanded, New Bedford’s population increased dramatically. To accommodate the mostly immigrant population, several neighborhood schools were constructed at the turn of the century. The school on Dartmouth Street was named for George H. Dunbar, a former two-term Mayor. The school closed in 2012.

**Parking:** There is on-site paved parking.

**MGL, Chapter 21E**

The City of New Bedford does not warrant that the land parcel available for disposition is free and clear of any contamination as defined by MGL 21E. The successful Proposer will assume all costs and responsibilities for any testing and/or removal of any contamination that may be present on the property, and will hold the City harmless for any costs to clean the property of any contamination.

1.04 Subdivision/Permits/Approvals

All costs and responsibilities for obtaining site plan approval and releases or any easements, covenants, or any other restrictions that may be present on the property will be the responsibility of the buyer. All engineering and environmental studies will also be the responsibility of the buyer.

2.00 Project Guidelines
2.01 Use

A. The Subject Property will be conveyed to the successful respondent of this RFP at closing. The disposition of this property is subject to the Uniform Procurement Act of Massachusetts General Laws, Chapter 30B, Section 16 as well as Massachusetts General Law Chapter 60, Section 77B, such provisions which are incorporated in this Request for Proposals by reference.

B. The use of this property will be controlled by current zoning and any other governing regulations. Sufficient parking for the proposed use must be provided according to zoning requirements or be reduced by Special Permit granted by the Planning Board.

C. The City encourages proposals with the greatest ability to generate the highest revenue and economic impact for the city while providing retail services that benefit the surrounding neighborhood.

1. Impact on the Surrounding Area – A Successful Proposal Must:
   Have a positive impact on the immediate surrounding area by proposing a project in a way that compliments the surrounding neighborhood.

The following uses shall be encouraged because they complement the neighborhood and do not generally create parking or traffic overloads at this small site.

- Housing
- Office/Research and Development
- Small retail and service commercial
- Community uses
- Arts uses
- Public/recreational facility

2.02 Obligations of Proposer

A. The Proposer is required to demonstrate his/her/their capacity to acquire and develop the property in accordance with the terms and conditions of this RFP.

B. The Proposer must be prepared to guarantee that the development of the property is completed in accordance with the approved guidelines attached to this RFP. This will be enforced and evidenced by execution of a Development Agreement with the City of New Bedford that will set forth the development conditions. Failure to comply with the terms of the Development Agreement could result in its termination and the replacement of the applicant by the City.

Developer Agreement:
The Developer Agreement shall incorporate a critical path time for the Work and a deadline for completion of the Work. In the event that the RFP respondent shall fail to commence the Work or substantially complete the Work within the required time frames, the City of New Bedford shall provide written notice of that breach to the RFP Respondent. In the event that the RFP Respondent does not cure said breach within thirty days after its receipt of that notice, or within the required time frames, or within such extended time as the City of New Bedford may in writing agree, the Property shall revert to the City of New Bedford.

C. Proposers are also responsible for securing private construction financing. Soft costs, including appraisals,
surveys, legal descriptions and other costs will be borne by the Proposer.

D. Proposer may be asked questions by the Selection Committee and/or City of New Bedford staff.

E. Proposers must complete final plans and specifications, and arrange for timely commencement and completion of the project as follows:
   a. Proposers shall ensure all required permits are obtained within six months from the date of the signed Development Agreement;
   b. Development must be underway within twelve months of the signed Development Agreement, meaning, a building permit shall be pulled, and construction shall have begun within eight months;
   c. Construction shall be completed within twelve months of the issuance of the building permit;
   d. Certificate of Occupancy must be obtained within twenty-four months of the signed Development Agreement;
   e. Plans and specifications shall be reviewed and approved of the City of New Bedford prior to the commencement of Work.

2.03 Warranty Coverage

Warranty coverage is required until the project has completed and received a Certificate of Occupancy.

2.04 Evaluation of Applications

An Evaluation Committee will review all proposals submitted in response to this RFP. The Proposals will be screened to ensure that all required submittals have been submitted by the proposer and that the proposal meets the Minimum Evaluation Criteria set forth below. For proposals that are deemed by the Evaluation Committee to be complete and to have met the Minimum Evaluation Criteria, the Evaluation Committee shall assign a rating of highly advantageous, advantageous, not advantageous, or unresponsive for each of the Comparative Evaluation Criteria set forth below.

After a composite rating has been assigned for each proposal, the Evaluation Committee will then make its recommendation to the City Treasurer and Purchasing Agent. The Evaluation Committee shall review in conjunction with the City Treasurer the proposals and determine the most advantageous proposal, taking into consideration the comparative ratings and the price. Additional meetings with the top-rated proposers may be held to further discuss specifics of the proposal in more detail. If other than the highest priced proposal is selected, the Treasurer shall explain in writing why the added benefits of the proposal justify the lower price. The City may cancel this RFP, or reject in whole or in part any and all proposals, if the City determines that cancellation or rejection serves the best interests of the City.

The Proposer shall provide sufficient detail to enable the Evaluation Committee to evaluate the proposal in each of the Evaluation Criteria categories listed below:

Upon City of New Bedford awarding of the Proposal, all proposers must submit a certified bank check payable to the “City of New Bedford” in the amount of five percent (5%) of the proposer’s proposed purchase price. Deposits will be returned to the unsuccessful proposers. In the event that the successful proposer fails, through no fault of the City of New Bedford, to consummate the purchase, meet all requirements of the RFP or enter into a Purchase and Sales Agreement for the subject property, the City of New Bedford will retain the proposal deposit.
Submission Requirements

The Request for Proposal may be obtained and/or examined on or after **Wednesday, November 27, 2019** during normal business hours (Monday through Friday 8:30 a.m. – 4:00 p.m.) in the office of the:

City of New Bedford  
Purchasing Department  
133 William Street, Room 208  
New Bedford, MA 02740

All proposals will be received by the Purchasing Department, in the office of the Purchasing Agent, Room 208, City Hall, 133 William Street, New Bedford, Massachusetts, 02740.

Proposals will be received: before or on **Friday, January 3, 2020, 11:00 a.m. Prevailing Time**

Questions on RFP

Questions must be submitted in writing via email no later than **4:00 p.m. before or on, Tuesday December 10, 2019**.

All responses shall be provided, by written addenda, to all parties who are on record as having obtained copies of this RFP.

The City of New Bedford assumes no responsibility and no liability for costs incurred related to the preparation of responses to this RFP. The City shall bear no responsibility or liability due to copies of revisions lost in mailing or not delivered to a prospective proposer due to unforeseen circumstances. Prospective proposers must acknowledge receipt of all addenda within their responses to this solicitation.

Written modifications to proposals may be submitted prior to date and time specified for the receipt of proposals.

Upon review, if any items are missing and/or incomplete, the City of New Bedford at its discretion, may notify the applicant to provide such items. Additionally, submission of proposals shall be deemed to be permission by the applicant to make any inquiries concerning the applicant as considered necessary to fully review qualifications.

A proposal may be withdrawn by written request, providing that such a request is received prior to time established herein for the opening of proposals. The City will not consider any requests for withdrawal not received before the proposal opening deadline. No proposer may withdraw his/her proposal after the actual date of the opening thereof.

**SUBMISSION REQUIREMENTS:**

Proposals are to be in writing and presented on the attached application. Respondents are to address all questions asked and provide a sufficient level of detail to enable evaluation of the proposal.

One original and six (6) copies of the proposal must be submitted marked “Dunbar School Development Proposal.” An electronic version of the complete proposal must be submitted on a CD-R, flash drive or similar disk.
Proposals must be received in the office of: **City of New Bedford, Purchasing Department, 133 William Street, Room 208, New Bedford, MA 02740, M-F: 8:30 AM – 4:00 PM no later than 11:00 am on, January 3, 2020.** No faxed or electronically mailed (emailed) proposals will be accepted. Late submissions will not be accepted and will be returned to the Proposer unopened.
Complete Proposals shall include the following:

<table>
<thead>
<tr>
<th>GENERAL</th>
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<tbody>
<tr>
<td>☐ Letter of Transmittal. The Letter of Transmittal must include a brief summary of the Dunbar School Development Proposal (“Project”) with the Applicant’s name, mailing address, contact person, telephone, fax number and email address. The letter must be signed by the proposer.</td>
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<tr>
<td>☐ Completed Application in its entirety</td>
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<tr>
<td>☐ Submission Requirements Checklist (this form)</td>
</tr>
<tr>
<td>☐ Letter of Transmittal. The Letter of Transmittal must include a brief summary of the Dunbar School Proposal (“Project”) with the Applicant’s name, mailing address, contact person, telephone, fax number and email address.</td>
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</table>
| ☐ Statement of Qualifications  
Include the following: |
| ☐ The composition and structure of the development team including the developer, architect, landscape designer, engineer, project manager, licensed site professional (LSP), attorney, operator and any other key members of the development team; |
| ☐ The qualifications of the development team as they relate directly to designing, financing, constructing and operating urban projects |
| ☐ Resumes of key personnel on the development team; |
| ☐ Comparable Projects & References  
Include the following: Provide a written description of up to three (3) urban development projects most similar to your vision for the Dunbar School project that were completed within the past seven (7) years. List the projects’ location, size, ownership entity, community process, development costs, financing mechanism, any municipal subsidiary received, current status, and references contact name and telephone number(s). |
| ☐ Project Narrative. Qualitative description of project including a detailed program of proposed uses |
| ☐ Management Plan: Provide a management plan for the project’s implementation and operation of the finished project. |
| ☐ Project timeline including; zoning adoption, acquisition, construction and operation of the project that is within a window of the development agreement |
| ☐ Sources and Uses Budget |
| ☐ Construction Cost Detail |
| ☐ Implementation Schedule |
F. **Additional Submittals:**

To be eligible for consideration, proposers must submit a completed Proposal Packet by complying with all of the following documentation, except as may otherwise be specifically noted:

- **City of New Bedford Price Proposal Form:** Proposals must include a completed Price Proposal Form for the property offered for sale to the City, in response to this RFP. (Price Proposal Form is [Attachment A](#) of this RFP.)

- **Authorization to Submit Proposal:** If the proposal is being submitted by an individual, it must be signed by that individual. If the proposal is being submitted on behalf of an entity, the proposal must include written evidence of the proposer’s authority to submit the proposal in the form of legally binding documentation.

- **Certificate of Tax Compliance:** The proposal shall include, as applicable, either the individual or corporate Certificate of Tax Compliance Form attached as [Attachment B](#) and [Attachment C](#) to this RFP demonstrating payment of all taxes.

- **Disclosure Statement of Beneficial Interest:** The Proposal Packet must include a completed Disclosure Statement of Beneficial Interest, as required by MGL, Chapter 7; Section 40J attached as [Attachment D](#) to this RFP.

- **Certificate of Non-Collusion:** The Proposal Packet must include a completed Certificate of Non-Collusion, attached as [Attachment E](#) to this RFP.

- **The following may be requested during the selection process but need not be submitted with the proposal:** (1) sufficient financial information relating to the entity and/or principals involved in a form satisfactory to the City.
**APPLICATION FORM**

### APPLICANT INFORMATION

<table>
<thead>
<tr>
<th>APPLICANT NAME:</th>
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<tr>
<td>APPLICANT / BUSINESS:</td>
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<td>MAILING ADDRESS:</td>
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<td>TELEPHONE #:</td>
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<td>EMAIL:</td>
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### APPLICANT INFORMATION

**IF THE APPLICANT IS A CORPORATION STATE THE FOLLOWING:**

<table>
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<tr>
<th>PLACE OF BUSINESS:</th>
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<tr>
<td>PRESIDENT:</td>
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<td>TREASURER:</td>
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**IF THE APPLICANT IS A JOINT VENTURE, STATE THE NAMES AND BUSINESS ADDRESS OF EACH PERSON, FIRM OR COMPANY THAT IS A PARTY TO THE JOINT VENTURE:**

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<th>NAME:</th>
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**IF THE APPLICANT IS A TRUST, STATE ALL NAMES AND ADDRESSES OF TRUSTEES:**

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<th>NAME:</th>
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<th>TAX ID #/SOCIAL SECURITY #</th>
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<tr>
<td>TELEPHONE #:</td>
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<td>EMAIL:</td>
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### BUDGET SUMMARY

**TOTAL BUDGET FOR PROJECT**

| $ |   |

### SIGNATURES

The undersigned certifies under penalties of perjury that this proposal 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.

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<th>NAME (printed)</th>
<th>SIGNATURE</th>
<th>DATE:</th>
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<td>NAME (printed)</td>
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## PROJECT SUMMARY

### PROJECT INFORMATION

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<th>PROJECT NAME:</th>
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<tr>
<td>PROJECT LOCATION:</td>
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**THE PROPOSAL IS FOR**

*(Indicate all categories that apply)*

- [ ] HOUSING
- [ ] RETAIL
- [ ] COMMERCIAL
- [ ] OTHER – Explain

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<tr>
<th>BRIEF DESCRIPTION OF PROJECT</th>
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<tr>
<th>WILL THE PROJECT MEET CURRENT ZONING</th>
<th>[ ] YES</th>
<th>[ ] NO</th>
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<td>If no, explain:</td>
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| ESTIMATED START DATE | ESTIMATED COMPLETION DATE |  |
PROJECT NARRATIVE:

1. In the space provided below, describe your project.

GENERAL NARRATIVE

---

2. **Financing.** Identify all proposed sources of funds and when they are expected to be available. Reasonable evidence (e.g. bank statements, lines of credit statement, lender agreements) that you will be able to access the funding sources as listed in your Preliminary Development Budget. Ensure that you clearly identify how much equity you and your development team is investing as this is a significant factor in assessing financial capacity. Developers should understand that if you are selected as developer, CITY will require verification of these funding sources prior proceeding to a Tentative Developer Agreement. Provide supporting documents that demonstrate the feasibility of your plan.

<table>
<thead>
<tr>
<th>Source</th>
<th>Amount</th>
<th>Type (Grant, Loan, Other)</th>
<th>Terms</th>
<th>Status (Not yet Applied For, Committed, In hand, or Unknown)</th>
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3. **Implementation Schedule.** Please include a clear chart of the expected dates of completion for the following tasks: site control, commitment of funding, design completion, start of construction, estimated first draw-down and completion of construction/activity.

<table>
<thead>
<tr>
<th>Activity</th>
<th>Date</th>
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<tr>
<td>Acquisition</td>
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<tr>
<td>Financing/Closing</td>
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<tr>
<td>Construction Start Date</td>
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<td>Construction Completion</td>
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<td>Sale</td>
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4. **Developer Experience and Capacity.**

**DEVELOPMENT EXPERIENCE (1000 Character Maximum)**

This will be evaluated based on the amount of experience that the development team has in development of the type and scale that they are proposing to undertake. In the space below, indicate how many comparable projects you have completed in the last ten years including a listing of all addresses that were in the City of New Bedford. You may supplement this information with project descriptions and as-completed photographs for up to five of these projects that you believe best represent the type of construction that you are proposing for these sites. Include a financing reference/contact for at least one recently completed project.
Development Team on this Project:
Please provide resumes of the principal parties in your development team including the developer, contractor, and architect.

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<tr>
<th>Role</th>
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<tr>
<td>Developer</td>
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<tr>
<td>Project Manager</td>
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<td>Property Management Company</td>
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<td>Architect</td>
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<td>Engineer</td>
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## 5. Construction Cost Detail

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<th>ACTIVITY</th>
<th>Cost</th>
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<tr>
<td><strong>Acquisition</strong></td>
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<tr>
<td>Land</td>
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<td>Existing Structures</td>
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<tr>
<td>Other acquisition costs</td>
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<td><strong>Site Work</strong></td>
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<td>Demolition/clearance</td>
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<td>Other site costs</td>
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<td><strong>Construction/Project Improvement</strong></td>
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<td>Construction</td>
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<td>Construction contingency</td>
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<td><strong>Architectural and Engineering</strong></td>
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<td>Architect fees</td>
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<td>Engineering fees</td>
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<td><strong>Other Owner</strong></td>
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<tr>
<td>Appraisal fees</td>
<td></td>
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<tr>
<td>Survey</td>
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<tr>
<td>Environmental/LBP evaluation</td>
<td></td>
</tr>
<tr>
<td>Permitting fees</td>
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<td>Legal fees</td>
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<tr>
<td>Construction Loan Interest</td>
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<td>Construction Insurance</td>
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<td>Financing Fees</td>
<td></td>
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<tr>
<td>Other</td>
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<td><strong>Miscellaneous</strong></td>
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<tr>
<td>Developer fees</td>
<td></td>
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<tr>
<td>Project reserves</td>
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</tr>
<tr>
<td>Relocation costs</td>
<td></td>
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<tr>
<td>Other:</td>
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<tr>
<td>Other:</td>
<td></td>
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<tr>
<td>Other:</td>
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<tr>
<td><strong>Project Administration &amp; Management</strong></td>
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<tr>
<td>Marketing Fees</td>
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<td>Insurance</td>
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<tr>
<td>Management fees</td>
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<tr>
<td>Developer Fee</td>
<td></td>
</tr>
<tr>
<td>Other</td>
<td></td>
</tr>
<tr>
<td><strong>TOTAL COST TO BUILD AS SPECIFIED</strong></td>
<td></td>
</tr>
</tbody>
</table>
6. **Development Plans.** Provide a narrative description of the proposed development including site context and use, and any other information that is relevant to evaluating the proposed development against the city’s development objectives described in this RFP. Include a zoning analysis indicating how the proposed project is in compliance with, or in need of a variance from, the New Bedford Zoning Code.

<table>
<thead>
<tr>
<th>GENERAL NARRATIVE</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
</tr>
</tbody>
</table>
Freedom of Information Act

Proposals will be available for public inspection after the award announcement, except to the extent that a proposer designates proprietary data to be confidential. Material designated as confidential must be readily separable from the remainder of the proposal to facilitate public inspection of the non-confidential portion of the proposal.

3.02 Unexpected Closure

If, at the time of the scheduled bid opening, City Hall is closed due to uncontrolled events such as fire, snow, ice, wind, or building evacuation, the bid opening will be postponed until 3:00pm on the next normal business day. Proposals will be accepted until that date and time.

3.03 Corrections and Modifications

A proposer may correct, modify, or withdraw a proposal by written notice received by the City, prior to the time and date set for the opening. Proposal modifications must be submitted in a sealed envelope, clearly labeled “Modification No. ____.” Each modification must be numbered in sequence, and must reference the original RFP.

After the opening, a proposer may not change any provision of the proposal in a manner prejudicial to the interests of the City or fair competition. Minor informalities will be waived or the proposer will be allowed to correct them. If a mistake and the intended proposal are clearly evident on the face of the document, the mistake will be corrected to reflect the intended correct proposal, and the proposer will be notified in writing; the proposer may not withdraw the proposal. A proposer may withdraw a proposal if a mistake is clearly evident on the face of the document, but the intended correct proposal is not similarly evident.

The City of New Bedford assumes no responsibility and no liability for costs incurred relevant to the preparation of responses to this RFP. The City shall bear no responsibility or liability due to copies of revisions lost in mailing or not delivered to a prospective proposer due to unforeseen circumstances. Prospective proposers must acknowledge receipt of all addenda within their responses to this solicitation.

The City will undertake a review of the Respondent to ensure that all taxes and municipal fees are current on any and all property that is owned by the Respondent in the City of New Bedford.

Incomplete applications will not be considered.

3.04 Withdrawals

A proposal may be withdrawn by written request, providing that such a request is received prior to time established herein for the opening of proposals. The City will not consider any requests for withdrawal received after the proposal opening deadline. No proposer may withdraw his/her proposal after the actual date of the opening or proposals.

3.05 Right to Cancel or Reject

The City may cancel this RFP or reject in whole or in part any and all bids, if the City determines that cancellation or rejection serves the best interests of the City.
4.00 Evaluation Criteria
The most advantageous proposal from a responsive and responsible proposer, taking into consideration price and all other evaluation criteria set for in this RFP, will be selected.

Only responsive proposals will be evaluated by the Evaluation Committee. The Evaluation Committee will rank the proposals according to the following categories: highly advantageous, advantageous, and unacceptable in each category and the committee will then forward a final recommendation to the City Treasurer and the Purchasing Agent.

The City Treasurer is the Awarding Authority and reserves the right to waive any minor informality. The Awarding Authority also reserves the right to reject any or all proposals, or to accept any other than the highest priced proposal should it be deemed to be in the best interest of the City of New Bedford, Massachusetts, to do so.

The following items will be reviewed and ranked according to the above listed categories of highly advantageous, advantageous, and unacceptable.

4.01 Evaluation Process.
All proposals will be opened by the City of New Bedford Purchasing Department at the deadline time and recorded for accurate record keeping. The City will establish an Evaluation Committee to review and evaluate the proposals in accordance with the Selection Criteria and select a finalist. At this time applicants are subject to all submittal requirements.

The Evaluation Committee will review all proposals submitted in response to this RFP. The Proposals will be screened to ensure that all required submittals have been submitted by the proposer and that the proposal meets the Minimum Evaluation Criteria set forth in this RFP. For proposals that are deemed by the Evaluation Committee to be complete and to have met the Minimum Evaluation Criteria, the Evaluation Committee shall assign a rating of highly advantageous, advantageous, not advantageous, or unresponsive for each of the Comparative Evaluation Criteria set forth in this section.

After a composite rating has been assigned for each proposal, the Evaluation Committee will then make its recommendation to the Purchasing Department. The Evaluation Committee shall review, in conjunction with the Purchasing Department, the proposals and determine the most advantageous proposal, taking into consideration the comparative ratings and the price. Additional meetings with the top-rated proposers may be held to further discuss specifics of the proposal in more detail. If other than the highest priced proposal is selected, the Purchasing Department with the Evaluation Committee, shall explain in writing why the added benefits of the proposal justify the lower price. The City may cancel this RFP, or reject in whole or in part any and all proposals, if the City determines that cancellation or rejection serves the best interests of the City.

The Proposer shall provide sufficient detail to enable the Evaluation Committee to evaluate the proposal in each of the Evaluation Criteria categories listed in this section.

Upon City of New Bedford awarding of the Proposal, all proposers must submit a certified bank check payable to the “City of New Bedford” in the amount of five percent (5%) of the proposer’s proposed purchase price. Deposits will be returned to the unsuccessful proposers. In the event that the successful proposer fails, through no fault of the City of New Bedford, to consummate the purchase, meet all requirements of the RFP or enter into a Purchase and Sales Agreement.
for the subject property, the City of New Bedford will retain the proposal deposit.

After application review, the City will select the finalists. The Evaluation Committee will select a “Tentative Developer” designation for the application selected. A Tentative Developer designation means that the property will be sold to the selected developer provided they satisfy all remaining requirements that the City of New Bedford may impose. Such requirements may include:

- Demonstrated experience with projects of similar scope and scale and evidence of successful completion of such projects.
- Evidence of financing sufficient to cover the purchase price plus the construction costs required.
- Successful construction experience as a builder/developer of residential property during the last 5 years;
- Demonstrated knowledge of and proven capacity to satisfy the project requirements in addition to all applicable codes & regulations.
- Taking into account current workload, respondent has the ability to begin construction within the timeframe outlined in the develop agreement.
- Proposers must also meet the selection criteria requirements contained in the RFP.

4.02 Evaluation Committee Role. The Evaluation Committee will rank the proposals according to the following categories: highly advantageous, advantageous, not advantageous and unacceptable in each category and the committee will then forward a final recommendation to the Purchasing Department.

The City Treasurer/Collector is the Awarding Authority and reserves the right to waive any minor informality. The Awarding Authority also reserves the right to reject any or all proposals, or to accept any other than the highest priced proposal should it be deemed to be in the best interest of the City of New Bedford, Massachusetts, to do so.

4.03 Overall Score and Ranking. Each competing applicant must submit a plan to complete the Scope of Work presented herein, including the approach and timeline. Please include all assumptions and any information on which you plan to rely on the City to provide. The City has referenced all known planning documents in this RFP and will work with the selected applicant to identify any additional information. Each applicant must indicate if and how they meet the “Comparative Evaluation Criteria.”

After evaluating a proposal on the foregoing factors, the evaluators will provide an overall ranking for the proposal as compared to other proposals, reviewing and ranking all according to the categories of highly advantageous, advantageous, not advantageous and unacceptable.
5.0 Award Process

A. Eligibility for Award
   If the Evaluation Committee determines that it has received one or more proposals that are deemed feasible, an award for the property will be made to the most advantageous proposal from a responsive and responsible proposer taking into consideration price and all other evaluation criteria set forth in the solicitation will be selected. In this event, the selected Respondent may be awarded the opportunity to enter into a Developer Agreement with the City of New Bedford.

B. Notification
   Official notice of an award will be sent by U.S. Mail to the address and Applicant listed on the Applicant Information section of this RFP. Respondents who are not selected will be similarly notified by U.S. Mail after a selected Respondent has been offered and accepted.
### Comparative Evaluation Criteria:

HA = Highly Advantageous; A = Advantageous; NA = Not Advantageous; U = Unacceptable

<table>
<thead>
<tr>
<th>Development Team</th>
<th>Highly Advantageous</th>
<th>Advantageous</th>
<th>Not Advantageous</th>
<th>Unacceptable</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Experience with similar-scale projects completed by the developer.</td>
<td>Includes three or more examples of similar-scale projects completed by development team.</td>
<td>Includes at least one example of similar-scale projects completed by development team.</td>
<td>Does not include examples of similar-scale projects completed by development team.</td>
<td>Does not include any examples of past projects.</td>
</tr>
<tr>
<td>2. Financial capacity to complete project</td>
<td>Development and operating budgets are realistic and identified financial sources clearly illustrate the proposer’s capacity to complete all phases of the project.</td>
<td>Development and operating budgets are somewhat realistic and financial sources are not clearly identified to illustrate the proposer’s capacity to complete all phases of the project.</td>
<td>Development and operating budgets are not based on market conditions and financial sources are not clearly identified to illustrate the proposer’s capacity to complete all phases of the project.</td>
<td>Information provided is not sufficient to make a determination.</td>
</tr>
<tr>
<td>3. Prior experience in working with municipalities</td>
<td>Proposal includes at least three letters of reference from municipal officials in communities where the development team has previously worked.</td>
<td>Proposal includes at least two strong letters of reference from municipal officials in communities where the development team has previously worked.</td>
<td>Narrative and other written material assert this prior experience in working with municipalities but without corroboration from municipal partners.</td>
<td>Information provided is not sufficient to make a determination.</td>
</tr>
<tr>
<td>4. Likelihood to complete the project on schedule in a timely manner</td>
<td>Proposal illustrates the development team’s ability to complete the project within 18 months of executing a purchase and sales agreement and incorporates a commitment to do the same.</td>
<td>Proposal illustrates the development team’s ability to complete the project within 24 months of executing a purchase and sales agreement and incorporates a commitment to do the same.</td>
<td>Proposal does not illustrate the development team’s ability to complete the project within 36 months or more of executing the purchase and sales agreement and, does not include a commitment to.</td>
<td>Information provided is not sufficient to make a determination.</td>
</tr>
<tr>
<td>5. Quality of Design and Construction</td>
<td>Proposal presents a superior design which enhances existing historical elements and the quality of proposed construction.</td>
<td>Proposal complies with the design requirements of the RFP and presents an acceptable quality of building design and construction.</td>
<td>Proposal that presents an unacceptable design.</td>
<td>Information provided is not sufficient to make a determination.</td>
</tr>
<tr>
<td>6. Economic Benefits</td>
<td>Proposer commits to the creation of a maximum number of permanent full time jobs as part of the development plan.</td>
<td>N/A</td>
<td>N/A</td>
<td>Proposer does not commit to the creation of permanent full time jobs as part of the development plan</td>
</tr>
</tbody>
</table>
SECTION II:

ATTACHMENTS

ATTACHMENT A
City of New Bedford Price Proposal Form

ATTACHMENT B
Commonwealth of Massachusetts Individual Certificate of Tax Compliance

ATTACHMENT C
Commonwealth of Massachusetts Corporate Certificate of Tax Compliance

ATTACHMENT D
Beneficial Interest Disclosure Statement

ATTACHMENT E
Certificate of Non-Collusion

ATTACHMENT F
Massachusetts General Law Chapter 44: Section 63A.

ATTACHMENT G
Traffic Counts

MAPS & IMAGE
ATTACHMENT A
PRICE PROPOSAL FORM

The undersigned hereby submits the attached proposal for the sale of property to the City of New Bedford in response to the Request for Proposals (RFP) for the acquisition of the designated property in the City of New Bedford.

Proposer’s Name: ____________________________

Owner’s Name (if different from proposer): ____________________________

Owner Entity and State of Incorporation: ____________________________

Proposer’s Address: ____________________________

Proposer’s Telephone: ____________________________

Proposer’s E-Mail: ____________________________

Proposer’s Fax Number: ____________________________

Parcel Location: Street Address or Location of Property: ____________________________

Proposed Purchase Price: ____________________________

_________________________________________  __________________________________
Signature of Proposer  Date

Name (Print): __________________________________________________________
ATTACHMENT B
COMMONWEALTH OF MASSACHUSETTS
INDIVIDUAL CERTIFICATE OF TAX COMPLIANCE

Pursuant to the requirements of G.L. c. 62C, s. 49A, the undersigned does hereby state the following:
I, ________________________________, certify that I have filed all state tax returns, have paid all state taxes required under law, and have no outstanding obligation or unpaid debt to the Massachusetts Department of Revenue.

Signed under the penalties of perjury:

______________________ ______________________________
Date Signature

______________________ ______________________________
Social Security Number Typed or Printed Name

COMMONWEALTH OF MASSACHUSETTS

On this __________ day of ____________________, 2015, before me, the undersigned notary public, personally appeared ______________________________, proved to me through satisfactory evidence of identification, which consisted of ______________________________, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he/she signed it voluntarily for its stated purpose.

______________________
NAME:
Notary Public
My commission expires:_____________
Pursuant to the requirements of G.L. c. 62C, s. 49A, the undersigned does hereby state the following:

I, ________________, as the_________________ of ______________________, whose principal place of business is located at___________________________________________________ do hereby certify that the above named firm has complied with all laws of the Commonwealth of Massachusetts relating to taxes and has no outstanding obligation to the Massachusetts Department of Revenue.

Signed under the penalties of perjury:

___________________________________ _____________________________

Federal Identification Number Name of Corporation/

Unincorporated Association

___________________________________ ______________________________

Date Signature of President

___________________________________ ______________________________

Date Signature of Treasurer

COMMONWEALTH OF MASSACHUSETTS

On this __________ day of ______________________, 2015, before me, the undersigned notary public, personally appeared ____________________________________________________________, proved to me through satisfactory evidence of identification, which consisted of __________________________

____________________________________

NAME:

Notary Public My commission expires:
ATTACHMENT D
DISCLOSURE OF BENEFICIAL INTERESTS IN REAL ESTATE 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 Asset Management, 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: ____________________________________________ (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): ___________________________________________________________

   Purchaser(s) or Lessee(s): _______________________________________________________

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 ten percent of the outstanding voting shares need not be disclosed.

   Name                                      Address
   ______________________________________    ________________________________
   ______________________________________    ________________________________
   ______________________________________    ________________________________
   ______________________________________    ________________________________
   ______________________________________    ________________________________

(Continued on next page)

5. Continued
None of the persons listed in this section is an official elected to public office in the Commonwealth of Massachusetts except as noted below:

<table>
<thead>
<tr>
<th>Name</th>
<th>Title or Position</th>
</tr>
</thead>
<tbody>
<tr>
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</tr>
</tbody>
</table>

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 this form is signed on behalf of a corporation, it must be 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 Management 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.

Signature: ________________________________

Printed Name: ________________________________

Title: ________________________________

Date: __________
ATTACHMENT E
CERTIFICATE OF NON-COLLUSION

City of New Bedford
133 William Street
New Bedford, MA 02740

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.

___________________________________
Signature of individual submitting bid

___________________________________
Name of business/organization
Section 63A. Whenever in any fiscal year a town, which term, as used in this section, shall include a city, shall sell any real estate, the board or officer executing the deed therefore in the name and behalf of the town shall, as a condition precedent to the power to deliver such deed, receive from the grantee as a payment in lieu of taxes allocable to the days ensuing in said fiscal year after the date of such deed, a sum which shall be equal to such portion of a pro forma tax computed as hereinafter provided as would be allocable to the days aforesaid if such pro forma tax were apportioned pro rata according to the number of days in such fiscal year; provided, however, that whenever the said real estate shall be sold between January second and June thirtieth of the fiscal year, the town shall also receive an additional amount equal to the entire pro forma tax computed as hereinafter provided and allocable as a payment in lieu of taxes for the next succeeding fiscal year. Such pro forma tax shall be computed by applying the town’s tax rate for the fiscal year of the sale, or, if such rate is not known, the town’s tax rate for the fiscal year next preceding that of the sale, to the sale price after crediting any exemption to which, if the deed had been executed and delivered on January first of such next preceding fiscal year, the grantee would have been entitled under section five of chapter fifty-nine. A recitation in the deed that there has been full compliance with the provisions of this section shall be conclusive evidence of such fact. Sums received under this section shall not be subject to section sixty-three of this chapter or to section forty-three of chapter sixty, but shall be credited as general funds of the town.
EXHIBIT G

**Location:** 338 DARTMOUTH ST  
**Parcel ID:** 23-160  
**Zoning:** MUB  
**Fiscal Year:** 2019

**Current Owner Information:**  
SHERWOOD BUILDING COMPANY INC  
PO BOX 2063  
FALL RIVER, MA 02722

**Current Sales Information:**  
**Sale Date:** 04/04/2017  
**Sale Price:** $40,000.00  
**Legal Reference:** 12033-180  
**Grantor:** CITY OF NEW BEDFORD

This Parcel contains 0.875 acres of land mainly classified for assessment purposes as MISC PUB SVC with an School/Classroom style building, built about 1925, having Brick exterior. Slate Tiles roof cover and 12752 Square Feet, with 1 unit(s), total room(s), total bedroom(s) 0 total bath(s), 0 3/4 baths, and 0 total half bath(s).

<table>
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<th>900900</th>
<th>Land Value:</th>
<th>237300</th>
<th>Yard Items Value:</th>
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### Fiscal Year 2019

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<td>Total Value:</td>
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</tbody>
</table>

| Tax: | $40,686.15 | Tax: | $80.00 | Tax: | $0.00 |

**Disclaimer:** Classification is not an indication of uses allowed under city zoning.
New Bedford Zoning

Zoning 2015

- Residential A
- Residential AA
- Residential B
- Residential C
- Mixed Use Business
- Planned Business
- Industrial A
- Industrial B
- Industrial C
- Waterfront Industrial