



NEW BEDFORD PORT AUTHORITY

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New Bedford, MA 02740
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Mr. Paul Casey
Department of Conservation and Recreation
Director of Long-term Permits and Leases
10 Park Plaza, Suite 6480
Boston, MA 02116

**Re: Request for Expressions of Interest Pope's Island Marina, New Bedford –
New Bedford Port Authority Response**

Name: Gordon M. Carr, Executive Director, New Bedford Port Authority
Email: gordon.carr@newbedford-ma.gov
Address: 123 MacArthur Drive, New Bedford, MA 02740

The New Bedford Harbor Development Commission (d.b.a New Bedford Port Authority, “NBPA”) wishes to respond with its interest in continuing to operate Pope’s Island Marina and providing the public slip holders with the award-winning customer service they have come to expect over the years. We are proud of the work we have done and the service we have delivered. We also have a deep understanding of what will be required to continue that optimal operation, given the current conditions of the publicly installed marine infrastructure. We are also prepared to respond to a formal RFP. In this document we also provide important context to inform the development of the RFP.

1. Statement of Qualifications

The NBPA has been managing and maintaining Pope’s Island Marina since the original passage of the 1992 legislation. As is evidenced by the very first lease for the marina, the construction of the marina was intended to provide a diversified revenue stream for the Harbor Development Commission to assist in its primary mission of supporting the Commonwealth’s largest commercial fishing fleet and the waterfront industrial assets of the port.

The New Bedford Port Authority is proud to be recognized as excellent stewards of the Pope's Island Marina. Through diligent management, a commitment to sustainability, and a focus on community engagement, we ensure that the marina remains an affordable, thriving, and welcoming hub for both residents and visitors.

Even with the challenges we face in repairing a facility at the end of its intended life from years of use and inclement weather, our dedication remains to maintain high standards of safety, cleanliness, and services to continue to run this vital asset for the port of New Bedford and the community.



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The NBPA has operated the marina continuously for over thirty years under our agreement with the landlord DCR, without incident, interruption, or any changes required or requested by the landlord. In the last several years, NBPA has hired and maintained experienced year-round professional staff with seasonal additions for deckhands, launch captains and support staff. These full-time personnel have allowed the NBPA to expand its winter services to now reach a record number of off-season vessel storage and live-aboards. Marina leadership has also added a number of other amenities for marina patrons, including a fire pit, movie nights, events, and gatherings, and equipment swaps. The marina remains popular, gets high marks in annual slip holder surveys, and received the highest “Elite Fleet” award in 2023 and 2024 from www.marinass.com. According to the website “The Elite Fleet tier of Boaters' Choice marinas represents the marinas that went above and beyond to delight boaters in 2023, maintaining an average star rating of at least 4.7 and receiving at least 10 reviews throughout the year.” Pope’s Island Marina received nearly 100 reviews through that website from 2022-2024. Despite the aging condition of the floats and docks, the NBPA has remained focused on the quality of the customer experience and service at Pope’s Island Marina.

The NBPA’s Operations & Maintenance personnel have diligently maintained the facilities and docks at the marina for the duration of NBPA’s operational control. Their work has extended the functionality of the floats, piers, and utilities well beyond their useful life.

Much of the floats and pier system have deteriorated over time such that a significant portion was irreparably damaged in a major winter storm in 2023. NBPA and its O&M staff acted quickly to move forward rapidly to construct replacement structures to have the marina returned to full operations as soon as possible. This work goes far beyond any understanding of “maintenance” responsibility under the terms of our agreement with DCR. That work was necessary though to continue serving the public. Even during the season when this replacement work was underway, our marina team and O&M staff re-positioned remaining floats and docks to ensure that all customer slip contracts were honored, and no one was turned away.

In addition to the improvements and replacement of the waterside infrastructure, NBPA recently completed a nearly \$500,000 renovation of the marina building to provide more amenities and a more welcoming experience for marina patrons. This example of our ongoing commitment to ensuring the most enjoyable experience for our customers and visitors alike includes state-of-the-art restroom and shower facilities as well as new laundry machines – which are among the most sought-after amenities for boaters.

NBPA has more than fulfilled its obligations under its operating agreements with DCR and is proud of its management and stewardship of Pope’s Island Marina.



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2. Market for the rental of marina slips

Comparable Marinas

Marina	Seasonal Cost	
Town of Barnstable	\$110-\$175 / LF (Resident)	\$140-\$205 / LF (Non-Resident)
Sandwich Marina	\$145 / LF	
Bass River Marina	\$170 / LF	
Fleet Marina (NB)	\$130 / LF	
Blue Cove Marina (Hingham)	\$155 / LF	
Harwich Municipal Marina	\$140 / LF 40'	\$173 / LF 50'
SeaPort Marina Fairhaven	\$130 - \$135 / LF	
NB Yacht Club	\$134 / LF	
South Wharf Marina (Dart.)	\$135-\$140 / LF	
Taylor Point Marina (Bourne)	\$133 / LF	
Fairhaven Shipyard	\$122 / LF '36	Up to 45' \$5,800
	Up to 75' \$10,175	Over 100' \$17,590
Pope's Island Marina	\$90 / LF	

It is notable how far below market the current slip rates mandated by DCR are at Pope's Island Marina. Under the current operating agreement for the marina, any change to annual slip rates at Pope's Island Marina must be pre-approved by DCR. As part of NBPA's commitment to customer service and to offering affordable options for local boat owners, NBPA has not requested a change in slip rates since 2009. Pope's Island Marina continues to maintain a waitlist of over 80 customers each season, and the turnover rate of slip holders remains low.

3. Funding & Operations

The NBPA has been continually repairing and replacing float and dock segments to keep the marina safe and operational. 2014 and 2020 facilities condition reports clearly called out that the structures had reached well beyond their useful life and emphasized the need for full replacement.

The 2020 report emphasizes that the efforts of the NBPA have effectively prolonged the life of the marina, stating that the "2014 inspection report indicated that replacement of the floating docks would likely be required in approximately 3-5 years. Since then, several of the critical float modules have been replaced, which has allowed the marina to extend the useful life of the system to keep the marina operation; however, the float system is in need of continuous repair



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and replacement of critical modules in order for the marina to be safe and usable. The weakened condition of the float system is such that significant storm events will likely cause increasing damage over the short term. More deficiencies were reported during this inspection report update than in the previous inspection, indicating that the floating dock system is continuing to deteriorate even with regular repair and maintenance.”

Since these reports and several storm events, the NBPA staff have been able to make emergency and ongoing repairs to ensure no seasonal slips are lost. This work requires significant financial, insurance, and staff resources.

Without a full replacement plan for the publicly installed infrastructure, maintenance, repair, and intermittent replacement projects will continue to increase annual costs. This work will also likely lead to reduced utilization of the marina slips and thus affect revenue, leading to a spiral of ever widening expenses and steadily falling income.

Funding the necessary capital replacement will need to be borne by DCR and the Commonwealth itself or through a public grant mechanism if the goal is to maintain the marina as a publicly accessible asset. There is not sufficient operating revenue in the marina budget to make those capital improvements, even if done on a multi-year, rolling basis. If a private operator proposes to invest its own capital to reconstruct the floats and docks, they will insist on maximizing revenue through every option from much higher slip fees, to membership requirements. Pope’s Island is and should remain an affordable public resource, which requires public investment.

4. Potential Obstacles & Barriers to Success

Due to our experience operating Pope’s Island Marina for three decades under an agreement with DCR, we are uniquely positioned to identify and detail potential barriers to success for the future operations of the marina.

- All marine-based infrastructure experiences challenging and damaging environments, and the floats, docks, and utilities at the marina are no different. Over time, those structures need to be replaced, which has been the case here for over a decade. Without that full replacement, it will become challenging for the marina to continue to operate functionally and safely as it does today. It is possible to remove certain floats and docks that have been rendered unsafe and operate the marina with a smaller slip footprint. That would be a temporary solution, however, as the marina and related revenues would continue to shrink.



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- It is unclear from this RFEI whether a private operator was to be contracted to run the public marina on behalf of DCR if that operator would be exempt from public procurement requirements. Perhaps the full RFP will provide more detail here. Such an exemption could present some cost savings and efficiencies that might make private investment in the public asset more justifiable, though it remains a question as to whether that investment could be recouped over a 20-year lease.
- There has been some consideration of a phased – or rolling – replacement of the float and dock system. While that could be an option to avoid a significant up-front outlay and perhaps enable future slip rate increases to finance later phases of replacement, such an approach carries significant risks and long-term operations and maintenance challenges. Public procurements require an acceptance of the lowest bid, meaning each phase could go to a different contractor using different methods, equipment, and construction materials. The outcome would prove extremely difficult to maintain and repair, with potentially bespoke conditions in different locations of the marina.
- The overall marina market – including at Pope’s Island Marina – is seeing a steady increase in demand for larger slips for longer and larger vessels, and a decline in demand for smaller vessels. This trend would likely lead to a reconsideration of the marina customer base and a reconfiguration of the slip layout. The result would be more large and expensive yachts and less available space for those of lesser means and smaller recreational crafts.
- If a private operator were to invest in the facility, they would certainly need to recoup those expenses through future revenues. It is likely that a private operator would not only bring slip rates up to match the regional market, but they will also likely charge a premium for a newer facility, particularly one behind a hurricane barrier that offers the safest possible option for boaters. While this could generate more revenue for an operator or for the Commonwealth, it would seem to run counter to the overall mission of a publicly funded recreational facility. Without restrictions, under private management Pope’s Island Marina would soon move from being the most affordable option in southeastern Massachusetts to the most expensive.
- The RFEI references the restrictions established in the Chapter 91 license, which limits the use to recreation for the general public and prohibits any commercial activity. The restriction is codified in the deed for the real property owned by the City of New Bedford that the marina’s pier and docks abut. The ensuing RFP should provide more detail on this so potential respondents can fully understand how this restriction could frustrate efforts by an operator seeking to diversify its customer base to more lucrative uses such as for-fire charter boats, party boats, tours, and ferries.



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- The RFEI also does not mention the mooring field currently associated with and managed by Pope's Island Marina. Those 28 moorings are not part of the Ch. 91 license and not under the control and jurisdiction of DCR. Any future RFP should be clear that no moorings or mooring field will be included in the DCR offering.

5. Additional Information

The future RFP needs to be clear what DCR is and is not offering. The only assets under DCR's control to offer for public or private operation are the structures "in and over the water" per the Chapter 91 license and the original legislation authorizing the lease of the property to the City/NBPA. Those structures are fixed pile supported pier, ramps/gangways, floats, and docks. The RFEI includes the Chapter 91 license and references the "Special Conditions" that the licensee must provide regarding the facilities building and the parking lot. To be clear, that sets a requirement for the licensee (DCR) to provide those facilities and access, but it bestows no rights to DCR, or any potential lessee, in those facilities.

The RFEI is misleading in this regard, and the RFP must be much more clear. For example, the RFEI includes photos of the marina building and the parking lot. Neither of those are the subject of the RFEI and neither can be offered by DCR in any RFP.

The parking lot utilized by current marina patrons is owned by the City of New Bedford and managed by the New Bedford Parks & Recreation Department. The marina building is owned by the City of New Bedford and managed and operated by the New Bedford Port Authority. The RFP must not suggest or imply that any respondent to DCR should propose to operate those facilities nor include the presumption of use of either in any RFP response.

To be clear, any future RFP must be explicit on what is being offered by DCR and must not include any photos or references to the marina building and parking lot, unless that reference is to the need for separately negotiated and executed agreements with the New Bedford Parks Department and the New Bedford Port Authority for the use of those assets. In both cases, such agreements for longer than five years must follow a separate public procurement and approval process which includes authorizations of those agencies as well as endorsement by a supermajority of the New Bedford City Council.