

CITY OF NEWTON, MASSACHUSETTS  
PURCHASING DEPARTMENT  
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Fax (617) 796-1227

September 21, 2022

**ADDENDUM #3**  
INVITATION FOR BID #23-05

**SALE OF MUNICIPAL PROPERTY**  
**STEARNS STREET REAR PARCEL, NEWTON, MASSACHUSETTS**

THIS ADDENDUM IS TO: ANSWER THE FOLLOWING QUESTIONS.

Q1. We are only interested in the Stearns street rear parcel list in the IFB 23-05. However, we are also listed as bidder for another parcel under IFB 23-06, for the Countryside Road Parcel, for which we are not potential bidders.

**A1. The City used the same bid list for the disposition of both parcels. Please disregard notices for a parcel if you are not a potential bidder for that parcel.**

Q2. Conversely, it appears bidder for IFB 23-06 are included in IFB 23-05 list of bidders. Could you confirm that the addition of Trilennium Services as a bidder for IFB 23-05 is in error?

**A2. See A1. This is a public bid so anyone may request a copy of the Invitation For Bid (IFB) and be added to the bid list.**

Q3. The Instructions to Bidders makes a reference in Article 4.4. to include the bid deposit with the bid. However, I do not see a bid deposit amount and/or instructions for the same in the documents. Can you confirm there is no bid deposit requirement or share documentation for the bid deposit required?

**A3. No bid deposit is required.**

Q4. Address of the property: The description in the IFB lists the address as Stearns Road Rear, instead of Stearns Street Rear.

**A4. The address of the property is Stearns Street Rear. The parcel ID (SBL) is 62023 0015A. The parcel contains 8,800 square feet of land.**

Q5. I would like to clarify what the fair market value is concerning the INVITATION FOR BID #23-05 (SALE OF MUNICIPAL PROPERTY: Stearns Road Rear Parcel, Newton Centre, Massachusetts).

**A5. See A7., A8(a). and A11. below.**

Q6. The Property Card currently lists the parcel's assessed value at \$196,500. This value is used to calculate real estate taxes for a private buyer, and would ordinarily be considered an indicator of fair market value.

**A6. See A7., A8(a). and A11. below.**

Q7. According to the FAQ section on the Assessor's web page ([\(Link\)](#)) under the Real estate section/ "What does my assessment represent?", it refers to: a) "The assessment is an estimate of market value. The definition of market value is the price a willing buyer would pay a willing seller in an open, competitive market, without any undue influences"; and b) "Although the majority of properties are not for sale, Massachusetts General Laws requires an

assessment, or an estimate of market value, on every property. Sales of similar or comparable properties within a neighborhood are the best indicator of market value."

**A7. See A8(a). and A11. below.**

Q8. As noted in the "Real Property Reuse Committee Report" dated June 24th, 2021, and 'Department of Purchasing - Instructions to bidders-Article 5': The Property is subject to a permanent conservation restriction that restricts the use of the property as passive open space, and this restriction will prohibit the property or any portion thereof to be added to or combined with an adjoining parcel to increase the lot area and/or dimensions for zoning purposes. A letter from the Department of Planning and Development (see attached), dated June 17, 2021, to Councilor Danberg, Chair of the Reuse Committee Members of Reuse Committee, with respect to this parcel under consideration, has a reference "The Assessing Department has determined vacant, unbuildable parcels are valued at between \$5 and \$10 per square foot, resulting in range between \$44,000 and \$88,000." This indicates that the Property Assessment Card has neither been updated to reflect the market value nor the conservation restriction. It also has no updates in the "Appraised value summary" section of the property card. Consequently, the assessed value for the parcel, which would represent the fair market value, may not be current or may not reflect valid procedures required by the IG Manual Chapter 30B.

a) Can you confirm the dollar value and/ or methodology that would be considered fair market value for the purposes of the bid, given the conservation restriction?

b) Will the assessor's property card be updated to reflect their estimated value referenced in the June 17, 2021 referenced above?

**A8(a). The Assessing Department has provided estimates between \$5 and \$10 per square foot for vacant unbuildable land. Due to the conservation restriction, it is the Assessing Department's opinion the value of the subject property would be at the lower end of this range.**

**A8(b). Yes.**

Q9. With regard to the proposed bidding for the sale of the said parcel, I would like to request for the City's consideration to take a look at the City property and assess how the abutting properties would be able to access the parcel should they win the bid prior to bidding. I believe this is an important factor in determining the winning bid and how they are able to maintain property especially the tree-cutting.

The past few storms, there were several trees which fell on the City lot behind my property and the City had asked to use my property to clear the area. Last year, a big tree fell and damaged the neighboring property behind me- 42 Sunhill Ln. and the City contacted me again and had to ask for permission to use my property to cut the fallen trees. According to them, they can only access through my property. And so I had to remove all the cars so the trucks could go in and cut the trees.

In this regard, I would like request that the small triangle portion of the parcel located behind my property be excluded from the bidding process (please see attached lot plan) and if possible be deeded to my property at the assessed value for safety reasons. This is the portion between 144 Clark St and 42 Sunhill Ln. However, Sunhill Ln is located on top of a hill and cannot access from their property.

I am willing to purchase from the City to maintain the small triangle portion behind my property as I am the only one with access to it, possibly at the assessed value and would still be covered by the conservation restriction.

**A9. Section 5.2 of the Invitation For Bids (p. 4) states: "Title to the Property will be delivered by quitclaim deed. The Property is offered for sale as listed on an "as is", "where located" basis without warranty, guarantee liability of any kind on the part of the City of Newton." The Property will not be sold as separate parcels.**

Q10. Will the City accept a Proposed Contract Price with an escalation clause?<sup>1</sup> For example,, would the following sample language be acceptable: Fifty thousand dollars, or if the seller receives a bona fide bid that is higher, buyer will increase the price to two thousand dollars above the amount of the other highest bid, subject to a maximum Proposed Contract Price of one hundred thousand DOLLARS. (\$50,000 or Proposed Contract Price offered in other higher bid + \$2,000, subject to a max total Proposed Contract price of \$100,000)

**A10. No. According to the Massachusetts Office of the Inspector General, such a bid would be impressive for two reasons. First, the bid is conditional—i.e., the bidder offers one price but should certain conditions occur it offers another price—and conditional bids are not allowed under M.G.L. c. 30B. Second, such a bid would be prejudicial to other bidders since one bidder would essentially have information (the amount of the highest bid) that other bidders do not, which is unfair. The only way bidders could increase their bids would be for the City to cancel the IFB and solicit new bids.**

Q11. I am attempting to get a fair market value for a city-owned parcel based on recent sales of similar properties. In particular, I am looking at 50 Stearns St, Rear, Parcel ID 62023 0015A. This parcel is landlocked (no access to this plot except through abutters private properties) and has a conservation restriction. Could I get some recent sales history for these types of properties?

**A11. There are not a lot of vacant unbuildable parcels that transfer by themselves. The City has had only one sale in the last couple of years:**

**65008 0053 Beecher Place 4/26/2022 for \$55,000 and it was 6,600 sf of land (\$8.33 per foot).**

**The attached spreadsheet show vacant unbuildable lots that sold with another parcel (either a single family or a two family). These lots by themselves are not buildable but do provide additional space for their main parcel. The City took the assessed value and attributed that as the purchase price.**

**Here are the summary statistics of price per foot:**

<b>Minimum</b>	<b>\$4.66</b>
<b>Maximum</b>	<b>\$10.68</b>
<b>Average</b>	<b>\$6.77</b>
<b>Median</b>	<b>\$6.15</b>

All other terms and conditions of this bid remain unchanged.

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<sup>1</sup> a) The IG Manual, Chapter 30B, Chapter 8, (page 83) provides flexibility to the Purchasing Department in fashioning a proposal solicitation process for real property transactions, through which it may select a proposer that meets the quality requirements and offers the best price. Further, Under Real Estate Disposition section (page 101), it states: “Rule for award. Your solicitation should contain a clear rule for award stating how the winning offer will be selected. For example, if you plan to select the highest-priced offer meeting your evaluation criteria, your rule for award might be stated as follows: The highest-priced proposal from a responsive and responsible proposer will be selected.”

b) The Purchasing Department has established the evaluation criteria in IFB 23-05, Article 7 – Contract Award:  
7.1 The City will make one (1) award to the responsible and responsive Bidder submitting the highest Proposed Contract Price equal to or exceeding the Parcel’s FMV on attached General Bid Form #23-05.

c) A proposed contract price with an escalation clause could result in the highest-priced proposal or highest Proposed Contract Price. This is common in real estate transactions and benefits the seller to get the best price in the event of multiple bids, and the value is not certain.

d) Under MGL Chapter 30B Manual, Chapter 8, there is neither a restriction on whether a bid may contain escalation provisions, or other clause that may deliver the highest-priced offer, nor that the Proposed Contract Price has to be a singular number.

**PLEASE ENSURE THAT YOU ACKNOWLEDGE ALL ADDENDA ON YOUR  
BID FORM. FAILURE TO ACKNOWLEDGE ALL ADDENDA COULD  
RESULT IN REJECTION OF YOUR BID AS NONRESPONSIVE.**

Thank you.

A handwritten signature in black ink that reads "Nicholas Read". The signature is written in a cursive, slightly slanted style.

Nicholas Read  
*Chief Procurement Officer*

Multi-Parcel Sales  
Analysis

SBL	No1	Street	Sale date1	Sale price1	Coded Sale	Use	Lot size	Total	Land	Building	Ratio	Price/Ft
43013 0011	215	AUBURN ST	09-Jan-20	\$550,000	1V	1010	6,198	\$627,000	\$513,000	\$114,000		
43013 0012		SHERMAN PL	09-Jan-20	\$550,000	1V	1320	4,100	\$20,700	\$20,700	\$0	117.76%	\$5.05
53040 0004	29	CAROLINE PK	24-Jan-20	\$1,725,000	1V	1010	13,400	\$1,981,400	\$1,175,500	\$805,900		
53040 0005		CAROLINE PK	24-Jan-20	\$1,725,000	1V	1320	3,113	\$23,500	\$23,500	\$0	116.23%	\$7.55
55051 0001	45	FENWICK RD	31-Jan-20	\$1,799,000	1V	1010	10,560	\$1,671,600	\$1,013,500	\$658,100		
55051 0012	0	ILLFORD RD	31-Jan-20	\$1,799,000	1V	1320	8,200	\$69,600	\$69,600	\$0	96.79%	\$8.49
83009 0008	122	UPLAND AVE	03-Mar-20	\$1,200,000	1V	1010	6,465	\$1,240,400	\$596,800	\$643,600		
83009 0021		BRIERFIELD RD	03-Mar-20	\$1,200,000	1V	1320	6,050	\$37,200	\$37,200	\$0	106.47%	\$6.15
54030 0014	87	HILLSIDE RD	10-Apr-20	\$1,680,000	1V	1010	10,021	\$1,461,600	\$679,100	\$782,500		
54030 0013		TERRACE AVE OFF	10-Apr-20	\$1,680,000	1V	1320	6,159	\$38,900	\$38,900	\$0	89.32%	\$6.32
82004 0019	384	DUDLEY RD	21-Apr-20	\$1,907,000	1V	1010	15,211	\$2,181,400	\$851,700	\$1,329,700		
82004 0019N		DUDLEY RD	21-Apr-20	\$1,907,000	1V	1320	1,530	\$12,600	\$12,600	\$0	115.05%	\$8.24
83029 0024	85	CHARLEMONT ST	22-Apr-20	\$920,000	1V	1010	5,000	\$792,200	\$532,100	\$260,100		
83029 0023		CHARLEMONT ST	22-Apr-20	\$920,000	1V	1320	5,000	\$28,600	\$28,600	\$0	89.22%	\$5.72
54035 0014	25	BRADFORD RD	29-Apr-20	\$1,535,000	1V	1010	8,400	\$1,611,400	\$685,900	\$925,500		
54035 0015		BRADFORD RD	29-Apr-20	\$1,535,000	1V	1320	8,400	\$53,000	\$53,000	\$0	108.43%	\$6.31
21033 0028	67	BROOKS AVE	12-May-20	\$1,600,000	1V	1040	7,826	\$1,403,400	\$625,600	\$777,800		
21033 0029	0	BROOKS AVE	12-May-20	\$1,600,000	1V	1320	7,972	\$45,200	\$45,200	\$0	90.54%	\$5.67
24013 0022	41	WALDEN ST	10-Jul-20	\$1,300,000	1V	1010	9,482	\$1,232,300	\$670,200	\$562,100		
24013 0023	0	WALDEN ST	10-Jul-20	\$1,300,000	1V	1320	8,769	\$59,500	\$59,500	\$0	99.37%	\$6.79
22022 0001	239	HARVARD CIR	03-Aug-20	\$925,000	1V	1010	5,790	\$773,700	\$647,200	\$126,500		
22021 0070		HARVARD CIR	03-Aug-20	\$925,000	1V	1320	670	\$8,300	\$4,500	\$3,800	84.54%	\$6.72
52029 0041	667	BOYLSTON ST	06-Oct-20	\$1,000,000	1V	1010	8,967	\$801,000	\$514,200	\$286,800		
52029 0040	0	BOYLSTON ST	06-Oct-20	\$1,000,000	1V	1320	8,002	\$42,600	\$42,600	\$0	84.36%	\$5.32

Multi-Parcel Sales  
Analysis

SBL	No1	Street	Sale date1	Sale price1	Coded Sale	Use	Lot size	Total	Land	Building	Ratio	Price/Ft
55039 0041	152	WABAN AVE	23-Nov-20	\$4,500,000	1V	1010	13,635	\$4,335,400	\$1,117,200	\$3,218,200		
55039 0040		WABAN AVE	23-Nov-20	\$4,500,000	1V	1320	1,501	\$12,800	\$12,800	\$0	96.63%	\$8.53
81017 0006	390	DEDHAM ST	08-Dec-20	\$1,910,000	1V	1010	28,100	\$1,958,900	\$908,600	\$1,050,300		
81017 0007		DEDHAM ST	08-Dec-20	\$1,910,000	1V	1320	1,057	\$6,800	\$6,800	\$0	102.92%	\$6.43
72029 0005	218	FRANKLIN ST	09-Dec-20	\$1,900,000	1V	1010	10,930	\$2,126,500	\$956,400	\$1,170,100		
72029 0004	0	WATERSTON RD	09-Dec-20	\$1,900,000	1V	1320	10,930	\$93,600	\$93,600	\$0	116.85%	\$8.56
83009 0013	92	UPLAND AVE	16-Dec-20	\$770,000	1V	1010	6,545	\$699,600	\$598,400	\$101,200		
83009 0016	0	BRIERFIELD RD	16-Dec-20	\$770,000	1V	1320	4,692	\$28,800	\$28,800	\$0	94.60%	\$6.14
44017 0071	23	SMITH CT	18-Dec-20	\$710,000	1V	1010	3,936	\$641,000	\$479,400	\$161,600		
44017 0070	0	SMITH CT	18-Dec-20	\$710,000	1V	1320	4,850	\$41,400	\$26,100	\$15,300	96.11%	\$5.38
55039 0047	72	CROFTON RD	29-Dec-20	\$4,300,000	1V	1010	21,285	\$3,561,000	\$1,205,600	\$2,355,400		
55039 0046	0	CROFTON RD	29-Dec-20	\$4,300,000	1V	1320	27,000	\$166,700	\$166,700	\$0	86.69%	\$6.17
65014 0012	503	BOYLSTON ST	19-Jan-21	\$785,000	1V	1010	5,710	\$644,800	\$431,800	\$213,000		
65014 0011		BOYLSTON ST	19-Jan-21	\$785,000	1V	1320	11,195	\$55,200	\$55,200	\$0	89.17%	\$4.93
81034 0013	115	ELINOR RD	22-Jan-21	\$825,000	1V	1010	10,352	\$787,700	\$664,600	\$123,100		
81034 0012		ELINOR RD	22-Jan-21	\$825,000	1V	1320	5,565	\$34,200	\$34,200	\$0	99.62%	\$6.15
81051 0056	17	BRANDEIS RD	17-Feb-21	\$1,000,000	1V	1010	10,023	\$864,600	\$660,700	\$203,900		
81051 0055	0	BRANDEIS RD	17-Feb-21	\$1,000,000	1V	1320	1,736	\$10,600	\$10,600	\$0	87.52%	\$6.11
83005 0027	7	LEDGEWOOD RD	09-Apr-21	\$1,505,000	1V	1010	8,540	\$1,268,800	\$702,300	\$566,500		
83005 0030		LEDGEWOOD RD	09-Apr-21	\$1,505,000	1V	1320	850	\$5,200	\$5,200	\$0	84.65%	\$6.12
32050 0020	326	HIGHLAND ST	28-May-21	\$3,865,565	1V	1010	15,332	\$3,086,800	\$1,090,800	\$1,996,000		
32050 0019		SOMERSET RD	28-May-21	\$3,865,565	1V	1320	8,400	\$78,100	\$78,100	\$0	81.87%	\$9.30
51023 0018	11	FRANCES ST HGH	03-Jun-21	\$1,150,000	1V	1010	4,950	\$900,200	\$531,200	\$369,000		
51023 0019		FRANCES ST HGH	03-Jun-21	\$1,150,000	1V	1320	3,825	\$22,000	\$22,000	\$0	80.19%	\$5.75

Multi-Parcel Sales  
Analysis

SBL	No1	Street	Sale date1	Sale price1	Coded Sale	Use	Lot size	Total	Land	Building	Ratio	Price/Ft
55040 0024	18	ANNAWAN RD	25-Jun-21	\$2,200,000	1V	1010	14,020	\$1,886,800	\$977,900	\$908,900		
55040 0025	0	ANNAWAN RD	25-Jun-21	\$2,200,000	1V	1320	10,280	\$82,800	\$82,800	\$0	89.53%	\$8.05
63037 0007	521	HAMMOND ST	28-Jun-21	\$3,300,000	1V	1010	49,962	\$2,544,800	\$1,916,700	\$628,100		
63037 0006	0	HAMMOND ST OFF	28-Jun-21	\$3,300,000	1V	1320	6,066	\$64,800	\$64,800	\$0	79.08%	\$10.68
51023 0018	11	FRANCES ST HGH	29-Jul-21	\$1,100,000	1V	1010	4,950	\$900,200	\$531,200	\$369,000		
51023 0019		FRANCES ST HGH	29-Jul-21	\$1,100,000	1V	1320	3,825	\$22,000	\$22,000	\$0	83.84%	\$5.75
82020 0011	20	OLD FARM RD	30-Jul-21	\$1,600,000	1V	1010	13,540	\$1,457,600	\$813,100	\$644,500		
82020 0010		OLD FARM RD	30-Jul-21	\$1,600,000	1V	1320	11,269	\$74,200	\$74,200	\$0	95.74%	\$6.58
42003 0003	21	NESHOBE RD	16-Aug-21	\$3,350,000	1V	1010	13,435	\$3,104,300	\$874,700	\$2,229,600		
42003 0004	0	NESHOBE RD	16-Aug-21	\$3,350,000	1V	1320	9,313	\$93,100	\$93,100	\$0	95.44%	\$10.00
61016 0002	27	TUDOR RD	17-Aug-21	\$3,000,000	1V	1010	19,738	\$3,057,600	\$1,255,400	\$1,802,200		
61016 0003	0	TUDOR RD	17-Aug-21	\$3,000,000	1V	1320	7,442	\$73,700	\$73,700	\$0	104.38%	\$9.90
41015 0005	284	MELROSE ST	02-Sep-21	\$1,425,000	1V	1050	4,638	\$1,186,800	\$596,100	\$590,700		
41015 0007	0	MELROSE AVE	02-Sep-21	\$1,425,000	1V	1320	2,881	\$17,500	\$17,500	\$0	84.51%	\$6.07
52040 0002	68	HARTFORD ST	27-Oct-21	\$910,000	1V	1010	7,414	\$699,800	\$459,300	\$240,500		
52040 0001	0	BOYLSTON ST	27-Oct-21	\$910,000	1V	1320	5,020	\$23,700	\$23,700	\$0	79.51%	\$4.72
82004 0019A	376	DUDLEY RD	17-Dec-21	\$4,247,751	1V	1010	19,457	\$3,633,500	\$910,800	\$2,722,700		
82004 0019M		DUDLEY RD	17-Dec-21	\$4,247,751	1V	1320	2,140	\$14,700	\$14,700	\$0	85.89%	\$6.87
43008 0004	1766	COMMONWEALTH AVE	20-Dec-21	\$1,349,000	1V	1040	6,300	\$1,067,700	\$490,300	\$577,400		
43008 0005	0	COMMONWEALTH AVE	20-Dec-21	\$1,349,000	1V	1320	6,545	\$30,500	\$30,500	\$0	81.41%	\$4.66
34036 0015	10	HOWARD ST WST	21-Dec-21	\$1,290,000	1V	1010	5,000	\$977,200	\$498,200	\$479,000		
34036 0014		HOWARD ST WST	21-Dec-21	\$1,290,000	1V	1320	6,417	\$34,500	\$34,500	\$0	78.43%	\$5.38
33003 0023	12	DUNCAN RD	30-Dec-21	\$1,100,000	1V	1040	5,089	\$817,400	\$634,800	\$182,600		
33003 0022		DUNCAN RD	30-Dec-21	\$1,100,000	1V	1320	5,168	\$29,900	\$29,900	\$0	77.03%	\$5.79

Multi-Parcel Sales  
Analysis

SBL	No1	Street	Sale date1	Sale price1	Coded Sale	Use	Lot size	Total	Land	Building	Ratio	Price/Ft
44017 0084	13	RYAN CT	11-Feb-22	\$2,500,000	1V	1010	10,143	\$2,443,500	\$659,100	\$1,784,400		
44017 0089	0	HAROLD TER	11-Feb-22	\$2,500,000	1V	1320	3,250	\$19,900	\$19,900	\$0	98.54%	\$6.12
43019 0006	7	CENTRAL TER	25-Feb-22	\$1,088,000	1V	1040	4,933	\$777,700	\$429,400	\$348,300		
43019 0004	0	CENTRAL ST	25-Feb-22	\$1,088,000	1V	1320	1,660	\$8,300	\$8,300	\$0	72.24%	\$5.00
34034 0001	212	DERBY ST	11-Mar-22	\$1,010,000	1V	1040	4,259	\$726,700	\$458,000	\$268,700		
34034 0032	0	GRANT ST	11-Mar-22	\$1,010,000	1V	1320	5,367	\$28,800	\$28,800	\$0	74.80%	\$5.37
61016 0002	27	TUDOR RD	17-Mar-22	\$3,200,000	1V	1010	19,738	\$3,057,600	\$1,255,400	\$1,802,200		
61016 0003	0	TUDOR RD	17-Mar-22	\$3,200,000	1V	1320	7,442	\$73,700	\$73,700	\$0	97.85%	\$9.90
34035 0005	11	HOWARD ST WST	01-Apr-22	\$840,000	1V	1010	5,000	\$653,100	\$498,200	\$154,900		
34035 0004		HOWARD ST WST	01-Apr-22	\$840,000	1V	1320	5,000	\$26,900	\$26,900	\$0	80.95%	\$5.38
55029 0003	5	DWHINDA RD	09-May-22	\$2,300,000	1V	1010	11,202	\$1,796,800	\$931,800	\$865,000		
55029 0004	0	RIVER PL	09-May-22	\$2,300,000	1V	1320	4,800	\$40,800	\$40,800	\$0	79.90%	\$8.50
14023 0011	43	CRAFTS ST	11-Jul-22	\$320,000	1V	1010	1,538	\$307,400	\$307,400	\$0		
14023 0011A		LINCOLN RD	11-Jul-22	\$320,000	1V	1320	315	\$1,500	\$1,500	\$0	96.53%	\$4.76
53019 0020	69	PINE RIDGE RD	14-Jul-22	\$2,600,000	1V	1010	18,970	\$1,795,100	\$940,500	\$854,600		
53019 0019		PINE RIDGE RD	14-Jul-22	\$2,600,000	1V	1320	9,550	\$84,000	\$84,000	\$0	72.27%	\$8.80
55018 0010	167	NEHOIDEN RD	28-Jul-22	\$2,850,000	1V	1010	11,684	\$1,958,500	\$1,015,000	\$943,500		
55018 0011		NEHOIDEN RD	28-Jul-22	\$2,850,000	1V	1320	4,253	\$36,100	\$36,100	\$0	69.99%	\$8.49
											Minimum	\$4.66
											Maximum	\$10.68
											Average	\$6.77
											Median	\$6.15