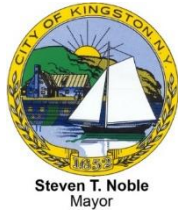


City of Kingston, NY

RFPK23-19



REQUEST FOR PROPOSALS

City of Kingston Food System Plan

Steven T. Noble
Kristin Kessler

Mayor of the City of Kingston
Project Manager, Department of Health & Wellness

RFPK23-19 Release Date:

Monday, June 5, 2023

Proposals Due:

Wednesday, July 5, 2023, at 2:00pm

The City of Kingston, NY ("City") is pleased to issue this request for proposals (RFP) from qualified consultants ("Consultant") to help develop a City of Kingston Food System Plan; you are invited to submit a proposal in accordance with the terms outlined in this RFP.

This project has been funded by the American Rescue Plan Act.

REQUEST FOR PROPOSAL DEFINITION:

An RFP defines the situation or object for which the goods and or services are required, how they are expected to be used and/or problems that they are expected to be addressed. Vendors are invited to propose solutions that will result in the satisfaction of the City's objectives in a cost-effective manner. The proposed solutions are evaluated against a predetermined set of criteria of which price may not be the primary consideration.

RFP/Project Contact Person:

Kristin Kessler
Project Manager, Health & Wellness
City of Kingston
City Hall, 420 Broadway
Kingston, NY 12401

Telephone: (845) 334-3917 **Email:** kkessler@kingston-ny.gov

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RECEIPT CONFIRMATION FORM

PLEASE COMPLETE AND RETURN THIS CONFIRMATION FORM WITHIN 5 WORKING DAYS OF RECEIVING THIS RFP SPECIFICATION TO:

Kristin Kessler
Project Manager, Health & Wellness
City of Kingston
City Hall, 420 Broadway
Kingston, NY 12401

Telephone: (845) 334-3917
Email: kkessler@kingston-ny.gov

Failure to return this form may result in no further communication or addenda regarding this RFP.

Company Name/Contact Person: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Telephone Number: _____ EXT: _____ Fax: _____

Email: _____

I have received a copy of the above noted RFP Specification. Mark one choice below.

____ We plan to submit a PROPOSAL.

____ We DO NOT plan to submit a PROPOSAL (please indicate reason below).

Signature: _____

Title: _____

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BACKGROUND

Kingston is a historic community of just over 24,000 people in the heart of Ulster County, NY, situated on the west bank of the Hudson River between the Rondout and Esopus Creeks. It was New York State's first capital in 1777, and today is the County Seat. Throughout its history, Kingston has seen periods of economic ups and downs, such as with the closing of IBM facilities in the mid-1990's, but also with numerous waves of migration of people moving northward from New York City. Today the City is at a pivotal juncture in its history as it faces tremendous change that started before the COVID-19 pandemic and has only been both magnified and quickened in the years since 2019.

There are both incredible assets as well as significant challenges in Kingston, including within the local food system and food access. Unfortunately, food access is not currently equitable for all Kingston residents. Some preliminary barriers to equitable, nutritious food access include, but are not limited to:

- **Food Insecurity:**
 - According to the New York State Department of Health, more than 11% of the people living in Ulster County are food insecure, higher than the state and national averages.¹
 - According to 2019 data from the ALICE metric (Asset Limited, Income Constrained, Employed), which takes into consideration working adults experiencing poverty, 43% of the households in Kingston live below the ALICE threshold, which is higher than the state average of 31%.²
- **Food Retail Locations**
 - Cornell Cooperative Extension of Ulster County's Hudson Valley Regional Food Systems Map utilizes data from the New York Department of Agriculture and Markets that indicates there are about 50 "retail food stores" in the City of Kingston. However, only 64% of those stores accept SNAP and many of these stores are smaller, the food is more expensive, and fresh/nutritious items may be either scarcely available or not available at all.³
 - According to the 2022 Ulster County Health Assessment, 32% of residents surveyed listed "Access to affordable, nutritious food" as an issue affecting health.⁴
- **Transportation**
 - Additionally in the Hudson Valley Regional Food Systems Map, data from the American Community Survey shows that in some neighborhoods, such as parts of Midtown east of Broadway, up to 23% of the residents do not own a car.
 - Current bus routes do not serve all the neighborhoods thoroughly. And for those who do walk, bike, or take public transportation to shop, they are only able to purchase what they can carry home, which often means prioritizing highly processed, shelf-stable calorically dense foods over fresh, nutrient-dense foods such as fruits and vegetables.

These factors are of concern because food access and food security are two important social determinants of health that contribute to the overall health of both a community and an individual. Some pertinent health-related data for Kingston includes:

1

https://webbi1.health.ny.gov/SASStoredProcess/guest?_program=%2FEBI%2FPHIG%2Fapps%2Fchir_dashboard%2Fchir_dashboard&p=ch&cos=51

² <https://www.unitedforalice.org/county-reports/new-york>

³ <https://ulster.cce.cornell.edu/agriculture/buy-local>

4

<https://ulstercountyny.gov/sites/default/files/documents/health/PRINT%20VERSION%202022%20REGIONAL%20CHA%2012022022.pdf>

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- Data from the 2010 Census shows that the difference in life expectancy in the City of Kingston varies by 5 years, from 75 to 80, depending on which neighborhood a person was born into.⁵
- According to data from PLACES, a CDC and Robert Wood Johnson Foundation collaboration, 7 out of 8 census tracts had higher rates of high cholesterol, heart disease, diabetes than the national average.⁶

It is relevant to note that there is already much work being done to help make Kingston a healthier place to live, including the following initiatives from the City of Kingston (the City):

- **Eat Well & Grow Well Focus Teams** - Working groups of our [Live Well Kingston Commission](#) that support equitable nutritious food access and community gardens plus access to homegrown food, respectively.
- **The Kingston Emergency Food Collaborative (KEFC)** - The City supported the creation of the KEFC during the Covid pause. Emergency meal delivery continues to this day.
- **Creating Healthy Schools and Communities (CHSC)**- The City has received this 5-year, New York State Department of Health-funded grant to support policy, system, and environmental changes in nutrition and physical activity access in our communities and schools.
- **Rail Trails and Complete Streets** - The City has been actively building segments to the [Kingston Greenline](#) network of trails and improving local roads with Complete Streets projects. This improves access by creating lower-stress transportation options to a full-service grocery store and many supportive food organizations.
- **Pedestrian and Bicycle Master Plan (PBMP)** - This plan will improve transportation options in addition to the above-mentioned specific transportation projects. The Plan has assessments, tools, goals, suggested projects, and a list of potential funding for active transportation improvements.
- **Kingston Forward: Citywide Rezoning** - The proposed policy will improve food access by easily allowing local food retail stores in neighborhoods and reducing the parking minimums, which will increase walk and bike-ability by reducing distances of travel.

This list does not include the numerous other community organizations and partners of the City that work within the food system and food access, including Cornell Cooperative Extension-Ulster County, Family of Woodstock, Hudson Valley Farm Hub, and more.

As the COVID-19 pandemic hit the City of Kingston in 2020, the City, like many locations across the globe, witnessed the vulnerabilities in our food system. In response to such vulnerabilities, funding to develop a food systems plan to “increase local food production and procurement and stimulate food system development to address food insecurity” was included in its [ARPA Kingston Economic Recovery Plan](#).

Ulster County is also completing a plan that looks at our local food system and addresses food insecurity. Their current approach is an Emergency Food Systems Plan that is designed to provide a set of instructions for the County to mobilize in support of food security in the event of an emergency. The City’s plan should take into consideration the County’s plan while not being redundant or duplicative of it.

While the efforts linked above are not an exhaustive list, Respondents should familiarize themselves with them and be prepared to bring them in to inform their proposed approach to this Project.

⁵ <https://www.cdc.gov/nchs/data-visualization/life-expectancy/>

⁶ <https://www.cdc.gov/places>

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SCHEDULE OF PERTINENT DATES

Listed below are estimated dates and times of actions related to this RFP. It is anticipated that the project term will be at minimum seven (7) months long. A longer award term not to extend past 12 months shall be considered with sufficient justification from the Consultant.

Dates	Task
June 5, 2023	RFP advertised
June 20, 2023, 10am	Last day to submit written inquiries
June 26, 2023	Addendum issued if any questions
July 5, 2023, 2pm	Due Date for Proposals
Week of July 10, 2023	Selection Committee evaluates proposals
Week of July 17, 2023	Possible Interviews
August 1, 2023	Notice of Intent to Award
August 15, 2023	Contract Start Date
March 2024	Estimated Contract End Date

The dates shown above may be subject to change within the City of Kingston's sole discretion and upon written notification as set forth herein.

PROJECT DESCRIPTION

The City's Department of Health & Wellness seeks a consultant to develop a Food System Plan (the "Plan") that will help to strengthen our local food system by improving resilience, addressing food insecurity, and increasing access to nutritionally dense foods.

Professional services are needed to conduct research and mapping/data analysis; gather widespread community and stakeholder input; develop a comprehensive baseline inventory/assessment of the food environment and food flows across the City, inclusive of the emergency feeding system; identify resources and unmet needs; and develop recommendations, planning, policy, partnerships, and initiatives related to improving healthy food access and resilience. The Consultant should also have experience with successfully engaging a wide variety of community members, food system actors, and other stakeholders in the development of food system plans.

The Plan should consider the specific organizational structures as well as roles and responsibilities of the existing public entities in Kingston and the Hudson Valley. There have been numerous projects already completed that look at our regional food system (see **Appendix A**). The Plan should be informed by, but not duplicative of, these reports. The Plan should provide a blueprint for how the City of Kingston can support strengthening our local food system to improve food security, through actions specific to the municipality and/or through collaborative action with its local community partners.

The Plan should consider the following questions:

The Plan should both explicitly address the following questions and should use them as a lens through which to view all research and recommendations.

1. What are the recommended roles of the key players and stakeholders in helping to advance food system change and long-term community wellness, including but not limited to the City of Kingston municipal government, Ulster County government, and local community-based organizations?

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2. How can the City, in particular the City's Department of Health and Wellness, support complementary health planning and policymaking?
3. What are the recommended priorities and activities the City of Kingston should take to strengthen our food system, either on its own or through collaborative effort with its partners?

The following questions should be addressed in the plan within the context of the questions above.

4. How does the City of Kingston's food system play into the larger county/regional food system?
5. What is the strength of our current food system? Where are the opportunities to strengthen our food system?
6. Taking an assets-based approach, what are the resources that our food system is strong in? Which ones have the opportunity for developing further, replicating, and/or amplifying?
7. How equitable is our food system? How can we improve equity in our food system? Other related questions might include:
 - a. How can we strengthen our food system to help increase food security?
 - b. How can we strengthen our food system to support increased accessibility of nutritionally dense foods?
 - c. How can we strengthen our food system to support increased health?

EXISTING PLANS AND RESOURCES

The Plan should take into consideration and/or align with existing related plans and resources. It should not be duplicative or redundant of work already done. See **Appendix A** for a non-exhaustive list of local resources.

WORK REQUIRED

The successful Consultant will provide Food System Plan consulting services for elements that will include but not be limited to:

- Compliance with the applicable provisions of General Municipal Law;
- Coordinating participation and soliciting comments from City of Kingston personnel;
- Ensuring that comments received from the City are satisfactorily addressed and reflected in subsequent work;
- Ensuring the objectives are achieved;
- Being responsible for submission of all products and payment requests

SCOPE OF WORK

The City of Kingston is seeking the assistance of a Consultant to do the following, at a minimum, with suggestions of additional elements welcomed:

- a. **Task 1:** Complete a data and food flow analysis of the City of Kingston's current food system, with particular focus on food provision and access for low-income and/or food insecure households. The main focus should be the City of Kingston, but should take into context the City's place within the regional food system as well (i.e. Kingston City School District, Ulster County, and/or Hudson Valley). The analyses should draw on quantitative data from a variety of sources and explore elements like retail availability/sales, food distribution/cost/transportation, consumer

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choices/preferences/behavior, eligibility/utilization/impact of large-scale food access resources like SNAP, WIC, school meals, summer meals, etc.

- a. **Required Deliverable:** Data and Food Flow Analysis and Report
- b. **Optional Deliverable:** Consider the development of an online mapping tool and/or StoryMap with relevant data and comprehensive baseline inventory of Kingston's food system/environment that can be easily updated/maintained going forward.
- b. **Task 2:** Conduct significant community and stakeholder outreach, particularly to reach impacted but under-represented populations, utilizing the capacities of [EngageKingston.com](https://www.engagekingston.com), as well as key agencies and organizations working, including:
 - a. Live Well Kingston Commission and its focus teams
 - b. Public Advisory Committee, that will meet at least two times throughout the project
 - c. Community survey to understand current food access behaviors, issues, and priorities
 - d. A mix of interviews and/or focus groups to delve deeper into specific topics or populations, or other suggested conversational, qualitative approach
 - e. Activities to support participation by under-represented populations, to be determined
 - f. Any other suggested outreach – a combination of meetings (online and/or in-person), pop-up outreach, etc.
 - g. **Required Deliverable:** Community and Stakeholder Outreach Plan & Report
- c. **Task 3:** Conduct an Inventory of City of Kingston policies and programs that explicitly relate to food system planning and/or food provision/access. Provide advice on how to improve implementation/impact of existing policies/programs along with recommendations on new policies to consider.
 - a. **Required Deliverable:** Policy/Program Inventory Report and Recommendations
 - b. **Optional Deliverable:** Consider the development of an easy to read and understand tracking tool of policies and programs with comprehensive baseline information that can be easily updated/maintained.
- d. **Task 4:** Develop a Food Systems Plan that addresses the previously listed questions under "Project Description." Plan should also include:
 - a. Data analysis and mapping that identifies both strengths and priority improvement areas for the City to focus efforts and partnerships, along with recommended actions and metrics to monitor (*See **Appendix B:** Consider the City of Asheville's 2017 Food Policy Goals and Action Plan as one possible example or the Niagara Falls Local Food Action Plan as an example of Proposed Actions combined with Promising Practices*).
 - b. A user-friendly, visually engaging, and easy-to-read final report with relevant data, mapping, analyses, recommendations, and/or web-based tools (*See **Appendix B:** Consider the Capital Roots Greater Capital Region Food System Assessment as an example*).
 - c. **Required Deliverable:** Comprehensive Food Systems Plan with short-term, medium-term, and long-term recommendations for actions by the City of Kingston municipal government along with actions taken through collaborations with community partners. The Plan should also be developed in a manner that prioritizes accessibility: it should be easy to read and understand for all members of the community.

Objectives and related tasks include the following:

1. Consultant Tasks

- a. Review existing plans, reports, maps, data, and other quantitative and qualitative inputs
- b. Design and conduct outreach and engagement to determine community priorities
- c. Facilitate meetings with stakeholders to solicit local knowledge and community priorities

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- d. Provide a summary of community outreach
- e. Provide a Draft Plan for review
- f. Host and facilitate a public meeting to present Draft Plan and received community feedback
- g. Provide the final report and final Plan
- h. Host and facilitate a public meeting to present Final Plan

2. City Tasks

- a. Help plan and promote meeting with stakeholders
- b. Provide assistance to consultant as needed
- c. Help plan and promote public meeting to present Draft Plan
- d. Review Draft Plan
- e. Help plan and promote public meeting to present Final Plan

SUBMISSION REQUIREMENTS

All respondents to this RFP are required to submit detailed information as set forth below. Responses that do not materially conform to this outline will not be considered. Additional material and information, as deemed appropriate by the respondent, may be included in the submission package.

RFP submissions must be in a sealed envelope addressed to:

Kristin Kessler
Project Manager, Health & Wellness
City of Kingston
City Hall - 420 Broadway
Kingston, NY 12401

On the face of the envelope, please include:

- 1) Name and Address of Respondent
- 2) RFP Number & Name: **RFPK23-19 City of Kingston Food System Plan**

Additional Requirements/Submission Information:

- Send one (1) clearly marked original of the project proposal and the fee proposal. The original documents should contain the original ink-signed signature pages.
- Send one (1) electronic copy (thumb drive) of the Project Proposal. This thumb drive should include separate files each for the proposal and the forms that are required to be completed and returned with the proposal. These include the Information Sheet and Affidavit of Non-Collusion that are found at the end of this RFP.
- Send one (1) electronic copy of the Fee Proposal on a second thumb drive in a sealed envelope appropriately marked.
- Responses are due and must be received no later than **Wednesday, July 5, 2023 – 2:00 p.m.** Late responses will not be accepted after the due date and time. It is recommended that proposals be submitted in advance, at least one day prior to the specified date and time to allow for timely receipt.
- Document should be printable on standard 8.5" x 11" paper.
- Pages should be paginated.
- Illustrations may be included.

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- The response will be evaluated on the basis of its content, not length.
- The City of Kingston will not be liable for any costs incurred by respondents in the preparation of responses or for any work performed in connection therein.

PROPOSAL CONTENT

The proposal should include the following information in the order specified:

- A. **Project Statement:** A Project narrative that describes the Respondent's understanding of the City's needs and the unique value the Respondent will bring to the process. It should include a description of the Respondent's approach to planning, organization, and management.
- B. **Description of Services:** Methodology the Respondent will use to perform the services required in this RFP. The proposal should address, in detail, the tasks as described in the Scope of Work.
- C. **Respondent's Qualifications:** Information about the Respondent and its qualifications for this Project. Include information about prior engagements similar to that being solicited herein by the City. Documented evidence of the Respondent's capacity to perform the work including references, contact names, and phone numbers.
- D. **Project Personnel:** The name and resume of the Respondent's lead person for the Project. Names, resumes, and roles of all staff who will be involved in the Project, including a description of the experience of each employee who has worked on similar projects. Provide data on the diversity of Respondent's overall workforce, including total number of employees, and percentages of minorities and females employed.
- E. **Sub-contractors:** Names, resumes, and roles of sub-contractors, associates, or any non-employees who will be involved in the Project.
- F. **Project Timeline:** A Gantt chart schedule showing the Consultant's proposed timeframes for completing the tasks defined in the Scope of Work.
- G. **Fee Proposal:** An itemized budget including all costs associated with each of the tasks identified in the Scope of Work. It should include staff hours, stating the name and title of each individual assigned to the project, their hourly rate, and the estimated hours each individual will work on the project. Budgets that are not itemized per task and deliverable will not be considered. The same information should be included for subcontracts. Administrative costs for printing, postage, next-day mail, photocopying, telephone, printing, and other reimbursable expenses must be detailed. Travel expenses must be estimated and conform to guidelines adopted by the Municipality. Include a not-to-exceed estimate for completing the work described in the RFP. The Fee Proposal must be in a separate, sealed envelope, appropriately identified on its face.
- H. **Kingston Presence:** Information about Respondent's presence in the City of Kingston and/or any collaborative relationships with local firms that are to be formed for this Project.
- I. **References:** Provide a minimum of three references for similar projects with similar scopes and methodologies. Sample reports from previous projects are helpful. Include a contact name, address,

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phone, description of the project, the names of the employees or sub-consultants who worked on the project, and methodology used.

Submittal Checklist

Submissions should include:

- 1) One (1) clearly marked original of the project proposal and the fee proposal. The original documents should contain the original ink-signed signature pages.
- 2) One (1) copy of the project proposal and one copy of the fee proposal in digital format (pdf on thumb drive);
- 3) All pages on 8.5" x 11" paper, double-sided;
- 4) Completed Affidavit of Non-Collusion found at the end of this RFP;
- 5) Completed Information Sheet found at the end of this RFP

Restrictions

- 1) Proposal submitted via fax or email will NOT be accepted.
- 2) Submissions received after the scheduled time and date will NOT be accepted.

Consultant Selection

- 1) The City of Kingston will only consider proposals that meet satisfactory levels of the above criteria.
- 2) Incomplete proposals that do not address all of the requested components will not be accepted for review and consideration.
- 3) The City is not required to accept the proposal that includes the lowest fee offer.
- 4) The City will review all proposals received as a result of the RFP.
- 5) Based on the reviews of the Consultant proposals, the City will prepare a list of the top-ranked candidates. The City may organize and conduct interviews of the top-ranked candidate Consultants.
- 6) The Consultant will be selected by the City subject to approval by the Grantor.

QUALIFICATION OF SELECTED RESPONDENT

The selected firm will have extensive experience and comprehensive technical skills, and work collaboratively with the City to implement the project.

THE TERM AND FUNDING AVAILABLE

The award shall be for at minimum seven (7) months commencing on or about August 15, 2023. A longer award term that does not extend past twelve (12) months shall be considered with sufficient justification from the Consultant.

The grant will be administered by the Department of Health and Wellness to ensure proper procurement process, conformance to state policy and provision for meeting MWBE requirements. This Office will also facilitate contracts, reporting, payment reimbursements, and final reporting as well as manage the project to ensure the milestones are met.

On March 11, 2021, the U.S. Senate-amended H.R. 1319 (P.L. 117-2), known as the American Rescue Plan Act ("ARPA") was signed into law. Section 9901 of ARPA amended Title VI of the Social Security Act to add

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section 602, which establishes the Coronavirus State Fiscal Recovery Fund, and section 603, which establishes the Coronavirus Local Fiscal Recovery Fund (together, the "SLFRF"), with the goal of providing vital federal support to local governments as they address the negative health and economic impacts of COVID-19 in their communities.

This project is funded by funds provided by the United States Treasury pursuant to ARPA. The successful Respondent must comply with applicable ARPA requirements for the contract and for post-award monitoring, including, without limitation, the Contract Provisions for Non-Federal Entity Contracts Under Federal Awards which are annexed hereto as Schedule "B."

EVALUATION CRITERIA

Only those proposals that contain complete information and required certifications will be considered. All proposals will be evaluated and examined by a committee of City of Kingston representatives using multiple criteria. The project will be awarded to a qualified respondent that, based on the committee's evaluation, submits the proposal that best meets the City's needs.

Proposals will be evaluated in accordance with applicable City of Kingston procurement policies and procedures along with conformance to state policy and provision for meeting MWBE requirements. Evaluation will be performed to determine each proposer's understanding of work to be performed, technical approach, and potential for completing the work as specified in the RFP components, cost reasonableness, the probable cost to the City and ranking with competing proposers.

The Selection Committee will choose the Consultant based upon an evaluation of proposals using the following criteria:

- Proposal quality and proposer's understanding of the work to be done (30%);
- Prior experience and expertise of the personnel to be assigned to this Project (20%);
- Prior experience of the firm on projects of this type and scope (15%);
- Cost factors (15%)
- Proposer's ability to meet the project schedule (10%); and
- MWBE certification (10%)

Other criteria may be considered and evaluated by the City if it is determined to be in the best interest of the City and the success of the Project to do so.

METHOD OF AWARD

It is the intention of the City that the award of this project will be made to the respondent whose total proposal, in the opinion of the City of Kingston, best meets the established criteria listed herein. All aspects of evaluation will be taken into consideration in awarding the project.

It is understood by the parties that the contract resulting from this RFP will be executed only to the extent of the monies available to the City of Kingston.

A notice of award will not be binding upon the City until the contract has been fully executed by both parties.

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CONTRACT PERIOD

The award term will commence on or about **August 15, 2023**. The award term shall be for at minimum seven (7) months. A longer award term that does not extend past twelve (12) months shall be considered with sufficient justification from the Consultant.

The successful respondent will execute a contract with the City of Kingston in substantial conformance with this RFP and the City of Kingston AGREEMENT FOR PROFESSIONAL SERVICES.

INQUIRIES

All questions pertaining to this RFP are required to be made in writing no later than **June 20, 2023 at 10am** and must be submitted using the questionnaire form included within this specification. All questions must be emailed to **Kristin Kessler at kkessler@kingston-ny.gov**. Respondents with a question directly related to this specification are required to cite the particular page number, section, and paragraph to which the inquiry refers.

All substantive questions received by the above mentioned deadline will receive a response in the form of an addendum issued no later than **June 26, 2023**.

The addendum will be sent to all respondents who have sent the receipt confirmation form for the RFP. Only an addendum from the City of Kingston will be considered official. Respondents are advised that the City of Kingston cannot ensure a response to any inquiries received after the due date for question submissions.

DEFINITIONS

Respondent: The term "respondent" means any firm or individual submitting a response for the services listed in this RFP.

Response: The term "response" means the material submitted by a "respondent" in reply to this Request for Proposals.

TERMS AND CONDITIONS

Instructions to Respondents: All submissions must be in accordance with this Request for Proposals.

RFP Information: The information provided for respondents is for informational purposes only. It may not be relied upon and does not constitute a representation or warranty by the City of Kingston, its representatives, employees, officers, agents, or consultants that the information contained therein is accurate or complete. No legal commitment, obligation or liability of the City of Kingston or its representatives, employees, officers, agents or consultants will arise by use of, or the information relating to, any of these materials.

Revisions, Interpretations or Corrections: Revisions, interpretations or corrections of specifications made by the City of Kingston will be by addendum issued before the date set forth for the submission of responses

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to this RFP. Interpretations, corrections or changes made in any other manner will not be binding, and respondents will not rely upon such revisions, interpretations, corrections or changes.

Conflict of Interest: The City of Kingston's employees and the immediate family of City of Kingston employees are not permitted to submit a response to this RFP. Furthermore, no official or employee of the City of Kingston will have any personal interest, direct or indirect, in this transaction, nor will any such elected or appointed official, department head, agent or employee having such an interest participate in any decision, meeting, or evaluation or exert any opinion or influence relating to this transaction that affects his or her personal interests or the interests of any person or entity in which he or she is directly or indirectly interested.

RFP Award Acceptance: The City of Kingston reserves the right at all times to accept or reject in their sole discretion, any or all responses and to waive any defects or technicalities or advertise for new RFP responses where the acceptance, rejection, waiving or advertising of such would be in the best interest of the City of Kingston. The RFP process may be terminated or modified without notice at any time.

Notice of Acceptance or Rejection: Notice by the City of Kingston regarding either acceptance or rejection of a response to this RFP will be deemed to have been sufficiently given when mailed to the respondent, or his or her duly authorized representative, at the address indicated in the cover letter accompanying respondent's submission of a response to this RFP.

Postponement or Cancellation: The City of Kingston reserves the right to postpone or cancel this RFP, or reject all responses, if in its judgment it deems it to be in the best interest of the City to do so.

In the event of a postponement or cancellation of this RFP, the City of Kingston will not be liable for any costs incurred by the respondent in the preparation of their response or for any work performed in connection therein.

INTERVIEWS

If the Evaluation Committee determines necessary, interviews may be scheduled with selected respondents as soon as possible after the initial evaluation. This will permit further evaluation and allow the Evaluation Committee to inquire further into the experience the respondent has had on similar projects, willingness and ability to work closely with City of Kingston staff and others, understanding of the various aspects of the requirements, ability to maintain a schedule and complete the services on time, and other matters deemed pertinent.

ALTERNATE PROPOSALS

The City of Kingston reserves the right to consider alternatives that are submitted by Respondents and that provide enhancements beyond the RFP requirements. Proposal alternatives may be considered if deemed to be in the best interest of the City. Respondents will clearly identify and explain in detail where such alternatives deviate from, or qualify the terms of, the proposal and specifications as issued.

COMPLIANCE WITH LAWS, LICENSES AND PERMITS

The Respondent(s) agree that they will fully comply with all applicable Federal, State and City policies, procedures, standards and laws, rules and regulations.

PERSONNEL IDENTIFICATION

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All personnel must carry on their person photo identification (e.g. employee identification badge, valid driver’s license, etc.) while on City of Kingston property, and must promptly show such identification when requested to do so by any City employee. Representatives of the City reserve the right to reject and bar from the facility, for good and sufficient reason, in the sole discretion of the City, any employee hired by the Contractor.

INSURANCE

The successful proposer will agree to indemnify and hold the City of Kingston, its Legislators, Officers, and Employees harmless against all loss, cost, or damage, on account of injury to person or damage to property as a result of any action or inaction of the successful proposer or its representatives or agents or subcontractors in performance of this contract and against all fines, penalties or any other losses which the City will be obliged to pay or incur in connection with the performance of the work under the contract.

In addition, the successful Respondent will procure and maintain at his/her own expense and without expense to the City, insurance for liability for damages imposed by law, of the kinds and amounts hereinafter provided, in insurance companies authorized to do business in the State of New York covering all operations under the contract whether performed by the successful Professional or his/her subcontractors. Before the inception of this contract, the successful Professional will furnish to the City a Certificate of Insurance form(s) satisfactory to the City exhibiting compliance with this paragraph and providing that the policies will not be changed or canceled until thirty (30) days written notice has been given to the City. The types and limits of insurance will be as follows:

- a) Workers Compensation as required by Law (submit Form C-105.2)
- b) Disability Benefits as required by Law (submit Form DB-120.1)
- c) Bodily Injury Liability \$2,000,000.00 each occurrence
 \$2,000,000.00 aggregate
- d) Property Damage Liability \$2,000,000.00 each occurrence
 \$2,000,000.00 aggregate
- e) Automobile Liability \$2,000,000.00 single limit
- f) Professional Liability \$2,000,000.00 (identified as a claim made or an occurrence policy)

DISQUALIFICATION

The City reserves the right to refuse to issue an award to respondents that fail to comply with any pre-qualification regulations of the City, if any such regulations or requirements are cited, or otherwise included in the Request for Proposal.

Proposals received from respondents who have previously failed to complete contracts within the time required, or who have previously performed similar work in an unsatisfactory manner, may be rejected. A proposal may be rejected if the respondent cannot show that it has the necessary ability, resources, and qualified employees to commence the work at the time prescribed and thereafter to perform and complete the work at the rate or within the time specified. A proposal may be rejected if the respondent is already obligated for the performance of other work that would delay the commencement, performance, or completion of the work described in this RFP.

PAYMENT PROCESSING

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The Consultant will invoice the City monthly. Each invoice will be prepared in such form and supported by such documentation as the City may reasonably require. Payments cannot be processed by the City until an invoice referring to the Contract Number is mailed to the proper departmental address. The City will pay the proper amounts due the vendor within sixty (60) days of receipt by the City of the vendor's invoice with the requested supporting documentation and approval of the vendor's invoice by the Department Head and the City Comptroller.

FREEDOM OF INFORMATION

The Respondent agrees to comply with the Freedom of Information Law (FOIL) and such rules and regulations as the City and the State may from time to time make, including, but not limited to, such rules as may be devised governing access to public documents pursuant to Article 6 of the Public Officers Law, popularly known as the Freedom of Information Law.

Proposals submitted in response to this RFP will be considered public documents and, with limited exceptions, all proposals, including proposals that are recommended for award, will be available for inspection and copying by the public.

All RFP submission materials become the property of the City of Kingston. Proposal submission material will generally be made available for inspection and copying by interested parties upon written request, except when exempted from disclosure under the New York State Freedom of Information Law. The City of Kingston is subject to the New York State Freedom of Information Law, which governs the process for the public disclosure of certain records maintained by the City of Kingston. Individuals or firms that submit proposals to the City of Kingston may request that the City except all or part of such a proposal from public disclosure, on the grounds that the proposal contains trade secrets, proprietary information, or that the information, if disclosed, would cause substantial injury to the competitive position of the individual or firm submitting the information. Such exception may extend to information contained in the request itself, if public disclosure would defeat the purpose for which the exception is sought. The request for exception must be in writing and state, in detail, the specific reasons for the requested exception. It also must specify the proposal or portions thereof for which the exception is requested. If the City of Kingston grants the request for exception from disclosure, the City will keep such proposal or portions thereof in secure facilities.

AFFIDAVIT OF NON-COLLUSION

The completion AND submission of the Affidavit of Non-Collusion, which is included with this RFP and is required with the submittal, certifies that the prices in the submitted proposal have been arrived at independently without collusion, consultation, communication, or agreement for the purpose of restricting competition, as to any matter relating to such prices with any other respondent or competitor.

SUSPENSION AND DEBARMENT

By submitting a proposal in response to this RFP, each respondent warrants that neither it nor any of its officers, employees, subcontractors, or agents is excluded or in any other manner barred from doing business with any federal, state, or local agency, municipality, or department. Any misrepresentation or false statement related to a respondent's status in this regard will result in rejection of such respondent's submission.

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In addition, if the successful respondent or any of its officers, employees, subcontractors, or agents become excluded or barred in any manner from doing business with any federal, state, or local agency, municipality, or department, during the period in which goods and/or services are provided pursuant to this RFP, the successful respondent agrees to immediately notify the City's Corporation Counsel of such status. Any misrepresentation or false statement related to the successful respondent's status in this regard, or any failure by the successful respondent to immediately notify the City's Corporation Counsel of any change in such status, will result in immediate termination of the City's business relationship with the successful respondent in addition to such other remedies as may be provided by law, in equity, pursuant to the terms and conditions of this RFP document, or the conditions of the contract, if any, resulting from this RFP.

IMPLIED REQUIREMENTS

Products and services which are not specifically requested in this RFP, but which are necessary to provide a complete program/project as described herein, will be included in the submitted proposal.

QUESTIONS FORM

EXHIBIT 1

Contract Provisions for Non-Federal Entity Contracts Under Federal Awards

- (A) Contracts for more than the simplified acquisition threshold, which is the inflation adjusted amount determined by the Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council (Councils) as authorized by [41 U.S.C. 1908](#), must address administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms, and provide for such sanctions and penalties as appropriate.
- (B) All contracts in excess of \$10,000 must address termination for cause and for convenience by the non-Federal entity including the manner by which it will be effected and the basis for settlement.
- (C) **Equal Employment Opportunity.** Except as otherwise provided under [41 CFR Part 60](#), all contracts that meet the definition of "federally assisted construction contract" in [41 CFR Part 60-1.3](#) must include the equal opportunity clause provided under [41 CFR 60-1.4\(b\)](#), in accordance with Executive Order 11246, "Equal Employment Opportunity" ([30 FR 12319, 12935, 3 CFR Part, 1964-1965](#) Comp., p. 339), as amended by Executive Order 11375, "Amending Executive Order 11246 Relating to Equal Employment Opportunity," and implementing regulations at [41 CFR part 60](#), "Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor."
- (D) **Davis-Bacon Act, as amended (40 U.S.C. 3141-3148).** When required by Federal program legislation, all prime construction contracts in excess of \$2,000 awarded by non-Federal entities must include a provision for compliance with the Davis-Bacon Act ([40 U.S.C. 3141-3144](#), and [3146-3148](#)) as supplemented by Department of Labor regulations ([29 CFR Part 5](#), "Labor Standards Provisions Applicable to Contracts Covering Federally Financed and Assisted Construction"). In accordance with the statute, contractors must be required to pay wages to laborers and mechanics at a rate not less than the prevailing wages specified in a wage determination made by the Secretary of Labor. In addition, contractors must be required to pay wages not less than once a week. The non-Federal entity must place a copy of the current prevailing wage determination issued by the Department of Labor in each solicitation. The decision to award a contract or subcontract must be conditioned upon the acceptance of the wage determination. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency. The contracts must also include a provision for compliance with the Copeland "Anti-Kickback" Act ([40 U.S.C. 3145](#)), as supplemented by Department of Labor regulations ([29 CFR Part 3](#), "Contractors and Subcontractors on Public Building or Public Work Financed in Whole or in Part by Loans or Grants from the United States"). The Act provides that each contractor or subrecipient must be prohibited from inducing, by any means, any person employed in the construction, completion, or repair of public work, to give up any part of the compensation to which he or she is otherwise entitled. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency.
- (E) **Contract Work Hours and Safety Standards Act (40 U.S.C. 3701-3708).** Where applicable, all contracts awarded by the non-Federal entity in excess of \$100,000 that involve the employment of mechanics or laborers must include a provision for compliance with [40 U.S.C. 3702](#) and [3704](#), as supplemented by Department of Labor regulations ([29 CFR Part 5](#)). Under [40 U.S.C. 3702](#) of the Act, each contractor must be required to compute the wages of every mechanic and laborer on the basis of a standard work week of 40 hours. Work in excess of the standard work week is permissible provided that the worker is compensated at a rate of not less than one and a half times the basic rate of pay for all hours worked in excess of 40 hours in the work week. The requirements of [40 U.S.C. 3704](#) are applicable to construction work and provide that no laborer or mechanic must be required to work in surroundings or under working conditions which are unsanitary, hazardous or dangerous. These requirements do not apply to the purchases of supplies or materials or articles ordinarily available on the open market, or contracts for transportation or transmission of intelligence.

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- (F) **Rights to Inventions Made Under a Contract or Agreement**. If the Federal award meets the definition of “funding agreement” under [37 CFR § 401.2 \(a\)](#), and the recipient or subrecipient wishes to enter into a contract with a small business firm or nonprofit organization regarding the substitution of parties, assignment or performance of experimental, developmental, or research work under that “funding agreement,” the recipient or subrecipient must comply with the requirements of [37 CFR Part 401](#), “Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements,” and any implementing regulations issued by the awarding agency.
- (G) **Clean Air Act (42 U.S.C. 7401-7671q.) and the Federal Water Pollution Control Act (33 U.S.C. 1251-1387), as amended**. Contracts and subgrants of amounts in excess of \$150,000 must contain a provision that requires the non-Federal award to agree to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act ([42 U.S.C. 7401-7671q](#)) and the Federal Water Pollution Control Act as amended ([33 U.S.C. 1251-1387](#)). Violations must be reported to the Federal awarding agency and the Regional Office of the Environmental Protection Agency (EPA).
- (H) **Debarment and Suspension (Executive Orders 12549 and 12689)**. A contract award (see [2 CFR 180.220](#)) must not be made to parties listed on the governmentwide exclusions in the System for Award Management (SAM), in accordance with the OMB guidelines at [2 CFR 180](#) that implement Executive Orders 12549 (3 CFR part 1986 Comp., p. 189) and 12689 (3 CFR part 1989 Comp., p. 235), “Debarment and Suspension.” SAM Exclusions contains the names of parties debarred, suspended, or otherwise excluded by agencies, as well as parties declared ineligible under statutory or regulatory authority other than Executive Order 12549.
- (I) **Byrd Anti-Lobbying Amendment (31 U.S.C. 1352)**. Contractors that apply or bid for an award exceeding \$100,000 must file the required certification. Each tier certifies to the tier above that it will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any Federal contract, grant or any other award covered by [31 U.S.C. 1352](#). Each tier must also disclose any lobbying with non-Federal funds that takes place in connection with obtaining any Federal award. Such disclosures are forwarded from tier to tier up to the non-Federal award.
- (J) **Procurement of Recovered Materials**. A non-Federal entity that is a state agency or agency of a political subdivision of a state and its contractors must comply with section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at [40 CFR part 247](#) that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition, where the purchase price of the item exceeds \$10,000 or the value of the quantity acquired during the preceding fiscal year exceeded \$10,000; procuring solid waste management services in a manner that maximizes energy and resource recovery; and establishing an affirmative procurement program for procurement of recovered materials identified in the EPA guidelines.
- (K) **Prohibition on certain telecommunications and video surveillance services or equipment**.
- (a) Recipients and subrecipients are prohibited from obligating or expending loan or grant funds to:
- (1) Procure or obtain;
 - (2) Extend or renew a contract to procure or obtain; or
 - (3) Enter into a contract (or extend or renew a contract) to procure or obtain equipment, services, or systems that uses covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system. As described in [Public Law 115-232](#), section 889, covered telecommunications equipment is telecommunications equipment produced by Huawei Technologies Company or ZTE Corporation (or any subsidiary or affiliate of such entities).
- (i) For the purpose of public safety, security of government facilities, physical security surveillance of critical infrastructure, and other national security purposes, video surveillance

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and telecommunications equipment produced by Hytera Communications Corporation, Hangzhou Hikvision Digital Technology Company, or Dahua Technology Company (or any subsidiary or affiliate of such entities).

(ii) Telecommunications or video surveillance services provided by such entities or using such equipment.

(iii) Telecommunications or video surveillance equipment or services produced or provided by an entity that the Secretary of Defense, in consultation with the Director of the National Intelligence or the Director of the Federal Bureau of Investigation, reasonably believes to be an entity owned or controlled by, or otherwise connected to, the government of a covered foreign country.

- (b) In implementing the prohibition under [Public Law 115-232](#), section 889, subsection (f), paragraph (1), heads of executive agencies administering loan, grant, or subsidy programs shall prioritize available funding and technical support to assist affected businesses, institutions and organizations as is reasonably necessary for those affected entities to transition from covered communications equipment and services, to procure replacement equipment and services, and to ensure that communications service to users and customers is sustained.

(L) Domestic preferences for procurements.

(a) As appropriate and to the extent consistent with law, the non-Federal entity should, to the greatest extent practicable under a Federal award, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States (including but not limited to iron, aluminum, steel, cement, and other manufactured products). The requirements of this section must be included in all subawards including all contracts and purchase orders for work or products under this award.

(b) For purposes of this section:

(1) "Produced in the United States" means, for iron and steel products, that all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States.

(2) "Manufactured products" means items and construction materials composed in whole or in part of non-ferrous metals such as aluminum; plastics and polymer-based products such as polyvinyl chloride pipe; aggregates such as concrete; glass, including optical fiber; and lumber.

(M) Energy Efficiency in Energy Consuming Products.

(a) Definition. As used in this clause – Energy efficient product

(1) Means a product that –

(i) Meets Department of Energy and Environmental Protection Agency criteria for use of the Energy Star ® trademark Label; or

(ii) Is in the upper 25 percent of efficiency for all similar products as designated by the Department of Energy's Federal Energy Management Program.

(2) The term "product" does not include any energy-consuming product or system designed or procured for combat or combat-related missions (42 U.S.C. 8259b).

(b) The Contractor shall ensure that energy-consuming products are energy efficient products (i.e. Energy Star ® products or FEMP-designated products) at the time of contract award, for products that are-

(1) Delivered;

(2) Acquired by the Contractor for use in performing services at a Federally-controlled facility;

(3) Furnished by the Contractor for use by the Government; or

(4) Specified in the design of a building or work, or incorporated during its construction, renovation, or maintenance.

(c) The requirements of paragraph (b) apply to the Contractor (including any subcontractor) unless-

(1) The energy-consuming product is not listed in the Energy Star ® Program or FEMP; or

(2) Otherwise approved in writing by the Contracting Officer.

(d) Information about these products is available for –

(1) Energy Star ® <http://www.energystar.gov/products>; and

(2) FEMP at <https://www.energy.gov/eere/femp/energy-efficient-products-and-energy-saving-technologies>

PLEASE RETURN THE FOLLOWING SHEETS
WITH YOUR PROPOSAL

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INFORMATION SHEET

NAME OF RESPONDENT:

ADDRESS:

TYPE OF ENTITY: Corp. _____ Partnership _____ Individual _____ LLC _____

If a non-publicly owned Corporation:

NAME OF CORPORATION:

Principal Stockholders (holding over 5% of outstanding shares):

OFFICERS:

LIST DIRECTORS:

DATE OF ORGANIZATION:

If a partnership:

PARTNERS:

NAME OF PARTNERSHIP:

DATE OF ORGANIZATION:

** If the business is conducted under an assumed name, a copy of the certificate required to be filed under the New York General Business Law must be attached.*

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AFFIDAVIT OF NON-COLLUSION

NAME OF RESPONDENT:

BUSINESS ADDRESS:

I hereby attest that I am the person responsible within my firm for the final decision as to the prices(s) and amount of this proposal or, if not, that I have written authorization, enclosed herewith, from that person to make the statements set out below on his or her behalf and on behalf of my firm.

I further attest that:

1. The price(s) and amount of this proposal have been arrived at independently, without consultation, communication or agreement for the purpose of restricting competition with any other contractor, respondent or potential respondent.
2. Neither the price(s), nor the amount of this proposal, have been disclosed to any other firm or person who is a respondent or potential respondent on this project, and will not be so disclosed prior to proposal opening.
3. No attempt has been made or will be made to solicit, cause or induce any firm or person to refrain from responding to this RFP, or to submit a proposal higher than the proposal of this firm, or any intentionally high or non-competitive proposal or other form of complementary proposal.
4. The proposal of my firm is made in good faith and not pursuant to any agreement or discussion with, or inducement from any firm or person to submit a complementary proposal.
5. My firm has not offered or entered into a subcontract or agreement regarding the purchase of materials or services from any other firm or person, or offered, promised or paid cash or anything of value to any firm or person, whether in connection with this or any other project, in consideration for an agreement or promise by an firm or person to refrain from responding to this RFP or to submit a complementary proposal on this project.
6. My firm has not accepted or been promised any subcontract or agreement regarding the sale of materials or services to any firm or person, and has not been promised or paid cash or anything of value by any firm or person, whether in connection with this or any project, in consideration for my firm's submitting a complementary proposal, or agreeing to do so, on this project.
7. I have made a diligent inquiry of all members, officers, employees, and agents of my firm with responsibilities relating to the preparation, approval or submission of my firm's proposal on this project and have been advised by each of them that he or she has not participated in any communication, consultation, discussion, agreement, collusion, act or other conduct inconsistent with any of the statements and representations made in this affidavit.

8. By submission of this proposal, I certify that I have read, am familiar with, and will comply with any and all segments of these specifications.

The person signing this proposal, under the penalties of perjury, affirms the truth thereof.

Signature & Company Position

Print Name & Company Position

Company Name

Date Signed _____ Federal ID _____

APPENDIX A: PROJECT RESOURCES

Below is a non-exhaustive list of local, regional, and state-wide project resources.

- Kingston Comprehensive Plan (https://www.kingston-ny.gov/filestorage/8399/8469/26768/12450/Kingston_2025_Adopted_Version.pdf)
- CCE Ulster County Food Systems Map (<https://ulster.cce.cornell.edu/agriculture/buy-local>)
- Ulster County Food Pantry and Meal Program Directory (<https://legislature.ulstercountyny.gov/ulster-county-food-pantry-and-meal-program-directory>).
- Kingston Emergency Food Collaborative Affordable Food Map (<https://www.kingstonemergencyfood.com/resources>)
- Hudson Valley Farm Hub: Elements of Access in the Farm Hub Region (<https://hvfarmhub.org/resources/>)
- Hudson Valley Food Hubs Initiative (<https://hvfarmhub.org/wp-content/uploads/2015/02/HV-Food-Hubs-Initiative-Report.pdf>)
- Kingston Urban Ag Planning and Zoning Study, Phases 1 and 2 (available upon request from project manager)
- NY Food Hub Collaborative (<https://harvestny.cce.cornell.edu/submission.php?id=156>)
- City of Kingston Climate Action Plan (<https://engagekingston.com/climate-action-plan>)

APPENDIX B: OTHER FOOD SYSTEM PLAN REFERENCES

Below is a non-exhaustive list of other relevant Food Systems plans.

- City of Asheville’s Food Policy Action Plan (<https://www.ashevillenc.gov/department/sustainability/food-policy-action-plan/>)
- Nourish Colorado’s database on related policies (<https://nourishcolorado.org/nourish-policy/>)
- City of Boston: The Mayor's Office of Food Justice (all programs and related documents/resources) (<https://www.boston.gov/departments/food-justice>)
- Niagara Falls Local Food Action Plan (https://assets.website-files.com/5cf5ae2df65cfa3377703f56/5d1b918a0e0222744ea5ac3b_Final_NFLFAP_10312018.1-2_web.pdf)
- Greater Capital Region Food System Assessment (<https://www.capitalroots.org/food-system-assessment/>)