

WRITER'S E-MAIL sfinlay@rmrf.com
YOUR FILE

WRITER'S DIRECT PHONE (780) 497-3302
OUR FILE 113590-007-SNF

March 5, 2025

EMAIL bcampbell@bcmb.ab.ca

Beverage Container Management Board

Attention: Brent Campbell, Director, Registrations and Manufacturer Policy

1165 Clark Builders Place
5555 Calgary Trail NW
Edmonton, Alberta
T6H 5P9

Dear Sir:

Re: Return Margin Expert RFP

We are writing on behalf of the Alberta Beverage Container Recycling Corporation (ABCRC) and the Alberta Beer Container Corporation (ABCC) with respect to the draft Return Margin Expert RFP that was circulated to ABCRC and the Alberta Bottle Depot Association (ABDA) for comment.

On behalf of ABCRC and ABCC, the following feedback is provided:

Minor Typographical Notes

There is a word that is missing in the Project Description section on page 4, which carries over to page 5, in the third bullet referring to the review of the 2019 HC documents. The word "related to the determination of the Return Margins" should be added. It should also be added to the fourth bullet point which is on page 5, after "Review the 2016 HC documents related to the determination of the Return Margins".

In the first full paragraph on page 5, it suggested that the word "an" be added in the sentence "The BCMB's Return Margin Methodology Policy requires that the Pre-Tax Return Margin rely on an analysis of the Return Margin . . .".

Prequalification Process

ABCRC and ABCC suggest that the initial list of 15 potential RFP recipients be reduced through a brief pre-qualification process that would narrow the number of candidates down to those that (a) have experience providing Return Margin analyses; (b) have done work in the Canadian

market, have a Canadian office or both; (c) have identified and provided the CV for the key expert that will be leading the work. A review of the responses to this question could allow the DCA to narrow the list of potential Return Margin Expert candidates to a more reasonable number (e.g. five) that, in turn, may give rise to more fulsome/higher quality responses to the RFP.

Project Description

In the section addressing the deliverables on page 5, it is suggested that the Return Margin Expert also be prepared to be available for meetings associated with the facilitated negotiations.

RFP Response Requirements

Methodology (p.6)

In the RFP, the expert should be required to address the extent to which they have access to and plan to incorporate Canadian data. Further, they should also be asked to advise if and how they intend to use artificial intelligence in their methodology, analysis or report generation.

Evaluation

On page 10, under the heading of Evaluation of RFP Responses, in the category of Relevance and Breadth of Experience/Qualifications, a request for objective indicia of excellence in this area, such as recommendations from clients or occasions where an opinion has been accepted by a regulatory tribunal should be added.

Contract

Insurance

We suggest that a minimum amount of insurance should be required, such as \$2 or \$5 million dollars.

Exhibit C

This limits the parties that the Return Margin Expert can speak to. We suggest it be extended to all the employees, consultants and agents of the Depots.

Thank you for the opportunity to provide feedback on the Return Margin Expert RFP process and document.

Yours truly,
REYNOLDS MIRTH RICHARDS & FARMER LLP

PER:



SHAUNA N. FINLAY
SNF/maj

cc: Client

5288448.docx