



Request for Proposal

**For the Development of a Recycling Efficiency Rate Verification
Procedure &
Resource Recovery Performance Audit Procedure**

Issued by:

Resource Productivity and Recovery Authority

August 11, 2022

Intent to Respond:

5:00 pm on August 17, 2022

Response Deadline:

3:00 pm on September 1, 2022

Table of Contents

1.0 Introduction	2
2.0 Background	2
3.0 Project Goals	3
4.0 Expected Deliverables	3
4.1 Scope	3
4.2 Deliverables	5
5.0 RFP Guidelines	8
5.1 Key RPRA Contact	8
5.2 Announcement of Intent to Respond	8
5.3 RFP Timeline	8
5.4 Complete Proposals	9
5.5 RFP Questions and Answers	9
5.6 Acceptance of Proposal	9
5.7 Follow-On Agreements	10
6.0 Proposal Requirements	10
6.1 Declaration of No Conflict of Interest	10
6.2 RFP Submissions	10
6.3 Project Implementation Schedule and Charge for Late Delivery	11
7.0 Evaluation Process and Criteria	11
7.1 Evaluation Process	11
7.2 Technical and Financial Criteria	12

1.0 Introduction

The Resource Productivity and Recovery Authority (“RPRA” or the “Authority”) is seeking proposals from qualified vendors (e.g., Engineering, Accounting, or Consulting firms) to assist the Authority in developing procedures for:

- (1) How to calculate and verify recycling efficiency rates (RER) of processing facilities for materials obligated under the Batteries, Electrical and Electronic Equipment (EEE; includes information technology, telecommunications and audio-visual equipment (ITT/AV), and lighting), and Hazardous and Special Products (HSP) Regulations, and
- (2) Batteries, EEE, and HSP resource recovery performance audits, and

The selected project team must include:

- a *licensed* Professional Engineer (for the RER component) and
- an auditor who is licensed or holds a certificate of authorization under the *Public Accounting Act, 2004* (for the resource recovery performance audit component).

Other relevant skills for vendor(s) responding to the RER component to consider on the project team include, but are not limited to:

- Familiarity with ISO 140040
- Material science
- Chemistry
- Background mass balance calculations
- Standard development
- Practical expertise in specifying and conducting Life Cycle Assessments and Life Cycle Inventories
- Material subject matter experts

The project will take place through 2022 and 2023 with an anticipated overall date of completion of January 2024. **Vendors have the option of bidding on both sets of procedures (RER and Resource Recovery Performance Audits) or just one set.**

Once completed, each set of procedures will be posted on the Authority’s website to provide regulated entities with guidance on how to verify RER and performance.

2.0 Background

The Authority is the regulator mandated by the Government of Ontario to enforce the province’s circular economy laws and play a key role in reducing waste and litter through resource recovery. The Authority is overseen by the Ontario Ministry of the Environment, Conservation and Parks and is accountable to the Minister of the Environment, Conservation and Parks. The Authority is mandated to administer the requirements of the [Resource Recovery and Circular Economy Act, 2016](#) (RRCEA) and the [Waste Diversion Transition Act, 2016](#) (WDTA), and their associated regulations. In addition, the Authority is responsible for providing digital reporting services for a wider range of waste and resource recovery programs.

Under the RRCEA, the Authority enforces individual producer responsibility (IPR) requirements for collecting and managing waste associated with products and packaging. The Authority also operates an electronic Registry to provide information and assist with the enforcement of laws relating to resource recovery and waste in Ontario.

The Authority is committed to carrying out all its activities in accordance with its Values and Code of Conduct.

The Authority's website – www.rpra.ca – is a source of additional information.

3.0 Project Goals

The goal of this project is to develop comprehensive step-by-step procedures for:

1. RER Verification Procedure for materials under the Batteries, EEE, and HSP Regulations; and
2. Resource Recovery Performance Audit Procedure under the Batteries, EEE, and HSP Regulations.

The project will include consultation support to obtain feedback on the procedures from the regulated community before the procedures are finalized, as well as internal training support for RPRA staff.

4.0 Expected Deliverables

4.1 Scope

Under the Batteries, EEE, and HSP Regulations, producers are required to report new supply information for obligated materials each year to establish their minimum management requirements for the following year, as set out by a formula in each regulation. The minimum management requirement sets the minimum amount of material each producer is responsible for collecting and managing in a performance period. Producers are obligated to collect and manage the obligated material to recover resources and meet management performance targets through reuse, refurbishing, or recycling (or disposal, in the case of HSP). To meet these requirements producers can work with service providers such as Producer Responsibility Organizations (PROs), processors, haulers, and refurbishers. PROs, on behalf of producers, can arrange and operate collection and management systems made up of other service providers. Producers, or PROs on their behalf, must only use processors that have met RER verified according to procedures developed by the Authority. Producers, or PROs on their behalf, must also submit audit reports showing how they met the minimum management performance targets, verified according to procedures developed by the Authority.

RER Verification Procedures:

Under the Batteries, EEE, and HSP Regulations, processors are required to calculate and verify their RER, which must be reported to the Authority.

- A processor is a person that processes the applicable material used in Ontario for the purpose of resource recovery.
- A downstream processor is a person that receives materials derived from Batteries, EEE, or HSP used and collected in Ontario (i.e., components of Batteries, EEE or HSP). The applicable materials are provided by a processor to a downstream processor for the purpose of further processing until such time that the resource is recovered.
- RER means the ratio of the weight of resources recovered from the obligated material received by a processor to the weight of obligated material received by that processor (i.e., a mass balance calculation of the processor's and downstream processors' yields).

To determine RER, a processor must include the resources recovered from a downstream processor in its RER. As a result, the development of the RER Verification Procedures should include verification steps for both processors and downstream processors

As an example, an EEE processor separates the component of EEE into metal, glass, plastic, and batteries. The RER Verification Procedure should include verification steps to validate the glass sent to a downstream glass recycler and plastic sent to a downstream plastic recycler.

For each material or group of materials, the RER procedure will also need to include verification steps for determining the weight of material processed, as well as what can be counted as a recovered resource after processing taking into consideration each regulations requirements for what can count as a recovered resource (e.g., limits on amount of aggregate that can count as a recovered resource).

The Authority currently has interim verification steps posted on its website (see document links below). Each regulation specifies the date by which the reports must be submitted. Battery and ITT/AV processors submitted their first report on April 30, 2022, HSP processors on July 31, 2022, and lighting processors will submit on April 30, 2024.

Resource Recovery Performance Audit Procedures:

The Batteries, EEE, and HSP Regulations require producers to audit the practices and procedures implemented to comply with minimum management requirements in a performance period. The audit must be carried out by an independent auditor who is licensed under the *Public Accounting Act, 2004..*

Where a producer has retained the services of a PRO, the PRO can arrange for the independent auditor to undertake the audit on the producer's behalf. Where that PRO has more than one producer client, a single audit report may be submitted on behalf of all their producer clients, but a separate report must be submitted for each type of HSP.

In reaching an opinion, the auditor is expected to:

- assess and document the reasonableness of the producer's methodology, or the PRO's methodology where a producer has retained a PRO, to collect the data that is required to be prepared and submitted to the Authority; and
- obtain and review supporting evidence, as required

HSP Regulation:

Beginning in 2023 and every three years after that, producers of Category A, Category B, and Category C (as defined in the Regulation) will be required to submit an audit report of the practices and procedures implemented to meet their minimum management requirements.

The first audit report is due July 31, 2023, for the performance period October 1, 2021 to December 31, 2022. Beginning July 31, 2026, and by July 31st of every third calendar year after that, an audit report must be submitted for the three immediately preceding calendar years.

Batteries Regulation:

The first audit report is due April 30, 2024, for the performance period January 1, 2022 to December 31, 2023. Beginning April 30, 2027, and by April 30 of every third calendar year after that, an audit report must be submitted with respect to each category of battery the producer was responsible for in the three immediately preceding calendar years.

EEE Regulation:

The first audit report for ITT/AV is due April 30, 2024, for the performance period January 1, 2022 to December 31, 2023. The first audit report for lighting is due April 30, 2024, for the performance period January 1, 2023 to December 31, 2023. Beginning April 30, 2027, and by April 30 every third calendar year after that, an audit report must be submitted with respect to each category of EEE the producer was responsible for in the three immediately preceding calendar years.

Interim RER Verification Procedures and Performance Audit Procedures have been created and posted on the Authority's website, pending the creation of more detailed procedures. These can be found here:

- [EEE Verification and Audit Procedure](#)
- [Batteries Verification and Audit Procedure](#)
- [HSP Verification and Audit Procedure](#)

The Authority has already developed a detailed [Tires Performance Audit Procedure](#). Information about the consultation process for the Tires Performance Audit Procedure and our consultation process can be found on our Consultation webpage [here](#).

4.2 Deliverables

Vendors will adhere to all guidelines, timelines, and requests specified in this RFP. Deliverables include but are not limited to:

1. RER Verification Procedures

- Project roadmap for developing all procedures
- Defining the objective and scope of the RER verification and terminology for the purpose of each regulation.
- Development of the procedures with detailed information on how to determine RER for each material listed under the regulations.
- Defining who is qualified to conduct the verification, including what qualifications are required.
- Detailed descriptions of the types of recovered resources that can be included in the RER, calculation for each material under the regulations, and rationale as to why it can be included or excluded in a Project Report.
- A consistent and concise step-by-step material-specific methodology on how to verify RER, including information on how to verify downstream processors.
- A step-by-step material-specific methodology in accordance with the regulations to verify:
 - the calculated RER,
 - the weight of recovered resources included in the calculated RER,
 - the origin of the recovered resources included in the calculated RER (e.g., must be from material of the same type supplied to a consumer in Ontario),
 - that only obligated materials within the applicable collection periods are included in the RER calculation (e.g., confirm that the appropriate data is used),
 - that the recovered resources included in the calculated RER meet the requirements of the regulations (e.g., were used or destined to be used or reused for the making of new products),
 - the type and weight of material transferred from/to different processors, and
 - RER data coming from downstream processors.

2. Resource Recovery Performance Audit Procedures

- Project roadmap for developing all procedures
- Define the objective and scope of the performance audit and terminology for the purpose of the procedure.
- Verification of the collection system including collection services providers, collection site operations, collection events and operating call-in system
- A step-by-step material-specific methodology to verify:
 - the resource recover performance data reported,
 - the formulas used by producers to calculate their reported performance
 - weight of collected material (by each type of HSP),

- weight of resources that were recovered through reuse and processing/recycling (by each type of HSP), and
- weight of material disposed of (by each type of HSP).

3. Project Report for RER Verification Procedures and Resource Recovery Performance Audit Procedures

- Internal document containing explanation of rationale that supports the procedures, including
 - Rationale as to why materials are included and excluded from the RER calculation.
 - Other considerations when developing the procedures

4. Consultation

For both RER and resource recovery performance audit procedures:

- Develop content, lead, host, and support webinars for audience(s) identified by the Authority.
- Consult with stakeholders including all service providers, producers, industry representatives and specialists including follow-up as needed.
- Review written responses.
- Vendor is responsible for a Stakeholder Consultation Report which summarizes the comments received and considerations given to the comments.

5. Host and Develop Training Material for internal RPRA Staff

- For both RER and performance audit procedures:
- Training plan for internal RPRA staff on the RER verification and resource recovery performance audit procedures and delivery of the training plan.
- Develop an internal process for RPRA Compliance Officers to verify registrants have complied with the deliverables listed above, such as flowcharts or checklists.

Deliverables Timeline:

The timeline will be discussed and finalized once the vendor is selected. The timeline for each component of the project will differ based on the date provided in each regulation. The following is the sequence in which RPRA requires the deliverables:

1. HSP Resource Recovery Performance Audit Procedure, Stakeholder Consultation Report, and Project Report
2. RER Verification Procedure (for all materials), Stakeholder Consultation Report and Project Report.
3. Batteries and EEE Resource Recovery Performance Audit Procedure, Stakeholder Consultation Report, and Project Report

Below is a detailed tentative timeline for all procedure developments:

Timeline for Resource Recovery Performance Audit Procedures for HSP, Batteries and EEE:

Milestones	Timeline
Finalize project plan for all deliverables	October 31, 2022
First Draft of HSP Resource Recovery Performance Audit Procedure due to RPRA	March 1, 2023
Public Consultation for HSP Resource Recovery Performance Audit Procedure	May 2023
Second draft of HSP Resource Recovery Audit Procedure and first draft of Stakeholder Consultation Report	June 2023
Final HSP Resource Recovery Audit Procedure and final Stakeholder Consultation Report due to RPRA	September 2023
First Draft of the Batteries and EEE Resource Recovery Performance Audit Procedure	April 2023
First Consultation for Batteries and EEE Resource Recovery Performance Audit Procedure	July – August 2023
Second draft of Batteries and EEE Resource Recovery Audit Procedure and initial Stakeholder Consultation Report	August 2023
Final Batteries and EEE Resource Recovery Audit Procedure and final Stakeholder Consultation Report	October 1, 2023

Timeline for RER Verification Procedure:

Deliverable	Timeline
Finalize project plan for all deliverables	October 31, 2022
Conduct research, interviews with all stakeholders about RER	November – April 2023
First Draft of RER Verification Procedure for all materials	May 2023
Review process of the procedure	May – July 2023
RPRA to post draft procedure for public consultation and consult with all stakeholders	August - September 2023
Second Draft of RER Verification Report and initial Stakeholder Consultation Report	October 2023
Review and approval process	October – November 2023
Final RER Verification Procedure, Stakeholder Consultation Report, and Project Report	December 2023

5.0 RFP Guidelines

5.1 Key RPRA Contact

Sajee Ranasinghe will be the sole RPRA contact for this project. Direct all inquiries related to this RFP to Sajee Ranasinghe. Contact information is as follows:

Sajee Ranasinghe:

Email: SRanasinghe@rpra.ca
cc: procurement@rpra.ca

Tel: 416-730-2304

5.2 Announcement of Intent to Respond

All vendors must indicate their intent to respond to RPRA by returning Appendix A: Announcement of Intent to Respond. This form must state whether you will or will not be responding to the RFP. Please complete and submit this form via e-mail to the key RPRA contact as noted above by 5:00 p.m. (EST) on August 17, 2022.

Should you choose not to participate, please delete all electronic copies you have received.



APPENDIX A. Intent
to Respond.docx

5.3 RFP Timeline

All timelines shown are Eastern Standard Time (EST).

Milestone	Scheduled Date	Time
RFP Issuance	August 11, 2022	No later than 5:00 p.m. EST
Intent to Respond Due	August 17, 2022	No later than 5:00 p.m. EST
Final Date for Vendors to Submit Questions	August 19, 2022	No later than 3:00 p.m. EST
RPRA responds to Questions by	August 25, 2022	No later than 5:00 p.m. EST
RFP Responses Due	September 1, 2022	No later than 3:00 p.m. EST
Vendor Evaluation	Week of September 5, 2022	
Short List Vendors & Vendor Presentations	Week of September 12, 2022 (if required)	

Final Evaluation & Vendor Selection	Week of September 19, 2022	
Contract Negotiation	Week of September 26, 2022	

RPRA reserves the right to modify the schedule as circumstances may warrant.

5.4 Complete Proposals

The required components of the proposal that each proponent must follow and include in its submission are summarized in this document. The Authority reserves the right to determine, in its sole and unfettered discretion, whether any proposal meets the requirements. Proposals shall address all the requirements as outlined in this RFP in addition to any perceived or anticipated requirements determined by the vendor.

Please note that any documents embedded within this RFP will also be provided as separate attachments within a zipped folder titled “RER Verification & Performance Audit Procedure RFP” for your reference.

5.5 RFP Questions and Answers

Each vendor is solely responsible for ensuring that it has all the information necessary to prepare its proposal and for independently verifying and informing itself with respect to any terms or conditions that may affect this proposal. All inquiries related to the RFP shall be directed to the contact listed in section 5.1.

Vendors are given a specific timeline during the overall process for submitting questions regarding the RFP content and requirements. Vendors must complete the attached spreadsheet (**QuestionLogTemplate.xls**) with any questions they have and submit the document by the deadline outlined in section 5.3.



VendorQuestionnaire
Template - RER Verific

***Note: Please, do not call with questions, as they will not be answered by phone.**

5.6 Acceptance of Proposal

All proposals must include a statement of authorization to submit a proposal signed by a principal of the vendor.

The solicitation of proposals does not in any way commit RPRA to accept any proposal or to commence negotiations with any vendor, and the submission of a proposal does not constitute a legally binding agreement between the Authority and any vendor.

On completion of the evaluation process, negotiations may be undertaken, at the sole discretion of RPRA, with any compliant proponent(s). The intent of negotiations would be to discuss and finalize commercial and operational details to best meet RPRA's objectives. No proponent shall have any rights or remedies against RPRA arising from such negotiations.

RPRA reaffirms its right to make any selection it deems prudent and responding firms or individual participants acknowledge through their participation that such selection is not subject to protest or contest.

RPRA reserves the right to:

- not award a contract as a result of this RFP;
- award contracts to one or more vendors;
- modify the tasks based on negotiation with vendors and/or reduce scope based on proposed costs or any other reason; and/or
- award a contract to the same vendor(s) for multiple years.

5.7 Follow-On Agreements

The Authority reserves the right to negotiate directly with the successful proponent through a Follow-On Agreement for additional services directly related to the scope of work in this RFP.

6.0 Proposal Requirements

6.1 Declaration of No Conflict of Interest

The vendor must declare any real, potential, or apparent conflict of interest related to the preparation of a proposal or working on this project in their submission.

6.2 RFP Submissions

Submit an electronic copy of your proposal to the contact as indicated in section 5.1. All responses must be received on or before 3:00 p.m. EST on September 1, 2022.

The vendor's proposal **must** include and address the following:

a) **An Executive Summary**

The vendor shall provide an executive summary with its proposal. The executive summary shall briefly summarize the key aspects of the proposal and the primary contact person for the prospective vendor.

b) **Separate Submission of Technical and Cost Information**

The vendor must submit their proposal in two separate and distinct PDF electronic documents. One electronic document, to be marked "Technical", must contain details of the proposed solution, services, and approach (i.e., no cost information or reference thereto) and the second electronic document, to be marked "Financial", must contain only cost information.

i. **Technical Proposal:**

The Technical proposal must include the following:

- Introduce the vendor.
- Complete the Vendor Conflict of Interest Declaration in the form attached as Appendix B.



APPENDIX B. Vendor
Conflict of Interest De

- Provide a description of the vendor's history, experience, and recent relevant projects.
- Demonstrate understanding of the scope and complexity of the required work.
- Identify the person(s) who would be involved in the project, their proposed role on the project, and their experience and qualifications to fulfill that role.
- Provide a detailed description of the vendor's proposed strategy, its processes, and deliverables.
- Outline the methodology and approaches that would be used in carrying out this project.

- Provide a proposed timeline for each component of the project (e.g., Strategy, Action Plan).
- Describe the expected involvement of RPRA staff and resources.
- Include a workplan with number and allocation of hours across the project.
- Provide at least three client references who may be contacted to confirm the satisfactory delivery of services by key team member(s) on previous assignments. This information must include referee contact details (names, phone numbers, and email addresses) and nature/details of the engagement.

The vendor must describe how they would satisfy RPRA's requirements in a timely, cost effective, and expert phased approach.

When developing the proposal, it is recommended that vendors refer to section 4.0 on expected deliverables.

ii. Financial Proposal:

The total cost must include all vendor costs associated with meeting all deliverables and requirements, including but not limited to: total number of hours, how the hours are allocated across the project, and the hourly rates.

Vendors are asked to break down the total cost as listed below:

- a. Planning Time
- b. Meeting Time
- c. Development Time

All amounts must be stated in Canadian dollars.

c) **Blended Hourly Rate:**

Vendors must also include their blended hourly rate for all project activities listed in the deliverables.

6.3 Project Implementation Schedule and Charge for Late Delivery

RPRA requires the solution be implemented and completed no later than a date to be mutually agreed to between the parties and consistent with the implementation schedule in the agreed scope of work. If the vendor fails to complete the project by the agreed implementation schedule, the fees for the project will be reduced by 10% unless otherwise agreed to by the parties.

7.0 Evaluation Process and Criteria

The evaluation process to determine the successful vendor(s) will involve both qualitative and quantitative elements. As a general framework, all proposals presented by vendors will be evaluated in the context of the overall value that it brings to the initiative. While cost is a significant part of the evaluation criteria, it will not be the sole determinant.

7.1 Evaluation Process

1. **Technical Evaluation** – Details of the proposed solution, services, and approach (i.e., no cost information or reference thereto). Vendors must achieve a rating of 75% or over (a score of 60 out of 80) before RPRA will consider their Financial proposal (i.e., before proceeding to the next stage).
2. **Financial Evaluation** – Details of the cost information only.

7.2 Technical and Financial Criteria

The Proposal will be reviewed and ranked on the following criteria as follows:

Technical Criteria:

Technical Ranking Criteria	Percentage
Demonstrated understanding of RPRA and its project goals	15%
Approach, methodology, and total number of hours across the project	25%
Development project plan and ability to meet project timelines	5%
Qualifications and relevant experience, including professional references and track record	30%
Innovation and creativity in approach	5%
Total Technical	80%

Based upon the initial technical evaluation scores, a short list of selected vendors *may* be invited to present their capabilities at a Vendor Presentation. The purpose of the Vendor Presentations is to provide a demonstration of the vendor's proposed services/capabilities to service RPRA and to allow RPRA to ask deep dive questions about the proposal and services/capabilities.

The number of short-listed vendors will be determined by RPRA in its sole discretion following its review of the technical responses.

Financial Criteria:

Financial Ranking Criteria	Percentage
Budget Total	15%
Blended Hourly Rate	5%
Total Financial	20%

Calculating the Total Cost Score

The lowest responsive financial offer will receive full points, and the other financial offers will be allocated points based on the extent to which they exceed the lowest responsive financial offer.

End of Document