



Convenience Agent Channel Policy

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1.0 Purpose

The Convenience Agent Channel has been established to provide improved services to the public, to serve customers at more convenient locations and hours, to generate incremental sales for ANBL, and to assist in the development of the beverage alcohol industry in New Brunswick by allowing opportunities for private sector participation in the alcohol retail network.

2.0 Definitions

Agent: The entity appointed to operate an agency store as Agent of ANBL.

NBON: New Brunswick Opportunities Network.

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Respondent: An entity who makes a submission for a Convenience Agent Channel location, under a REOI or RFQ process.

REOI: Request for Expressions of Interest.

RFQ: Request for Quote.

3.0 Policy Statement

3.1 Decision to establish an Agency Store

Agency stores may be established where ANBL, in its sole discretion, believes that the public may be better served, including but not limited to, in the following circumstances:

- to provide service in smaller or more remote communities of the province,
- to replace selected lower volume ANBL operated stores,
- to provide service in critical retail nodes previously not serviced,
- where ANBL considers the addition of an agent will capture incremental traffic and sales,
- where the establishment of an agency store would align with corporate objectives,
- where estimated annual sales potential exceeds \$300,000,
- to service population growth, and
- to offer service outside ANBL Corporate channel service hours.

3.2 Agent Selection Process

ANBL has developed selection criteria to provide a fair and open method of determining agency store appointments.

Agent appointments will be made solely in accordance with this policy unless otherwise approved by the ANBL Board of Directors.

It is intended that Agent appointments will be made after one or more of the following procurement processes has been completed:

3.2.1 Expression of Interest

Where ANBL considers it appropriate, it will publish a request for expressions of interest (REOI) on the [New Brunswick Opportunities Network](#), to provide the opportunity to those who might be

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interested in being appointed as the Agent of ANBL to operate the agency store in the specified location to register their interest by submitting a response to the REOI (a “Response”).

The REOI will typically be published for a period of 30 days.

If ANBL receives a Response to the REOI from more than one interested party that meets the requirements set out in the REOI, ANBL will proceed to issue a RFQ for that location.

If only one Response to the REOI is received that meets the requirements set out in the REOI, ANBL may proceed to evaluate whether that party is qualified to act as its Agent. ANBL may choose to enter into an agency agreement with that party to appoint it as its Agent in respect of the location in question or may proceed with an alternate selection process set out in Section 3.2.2 – Request for Quotes or Section 3.2.3 – Mutual Negotiation, where ANBL does not consider that such party is qualified to act as its Agent.

3.2.2 Request for Quotes (RFQ)

Where there are two or more responses to a REOI, or where ANBL chooses not to issue an REOI, a RFQ will be issued to determine the selection of an Agent for a given location.

Selection of the Agent will be based on the results of a scorecard process, the details of which will be disclosed at the time the RFQ document is made public. Applicants must meet minimum requirements to be considered for appointment and must meet required standards throughout the term of the appointment. ANBL’s objective is to select the applicant offering the best combination of service to the public, business experience, and potential for incremental revenue for ANBL.

The successful Respondent to the RFQ will be required to pass a financial viability assessment as a pre-condition of award. The assessment is intended to, as best as possible, ensure that the business or proposed business partner which will be operated in conjunction with the Agency Store is viable. If the successful respondent is the incumbent or an existing agent at another location, ANBL will verify the incumbent or existing agent’s credit worthiness by reviewing their credit history with ANBL.

Upon completion of the procurement process, the Procurement Lead will review the results with the Channel Sales team. A Recommendation to Award letter will be presented to the Chief Executive Officer for recommendation of approval of the award to the Board of Directors.

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When the Board has approved and an award has been made by ANBL to the successful respondent, the other respondents will be notified directly in writing. The results of the RFQ process will be posted publicly to NBON.

Unsuccessful respondents may request a debriefing after receipt of a notification of the outcome of the procurement process. All requests must be in writing to the RFQ Contact and must be made within thirty (30) days of such notification. The RFQ Contact will contact the respondent's representative to schedule the debriefing. Debriefings may occur in person at ANBL's location or by way of conference call or other remote meeting format, as prescribed by ANBL.

3.2.3 Mutual Negotiation

In the following instances, an Agent appointment may be made by mutual negotiation:

- when no compliant responses have been received to a REOI or RFQ process; and
- when an REOI or RFQ process have been completed and none of the respondents met the minimum requirements.

3.3 Eligibility

A respondent to an REOI or RFQ must be a sole proprietorship, a partnership or corporation which is not prohibited by law from buying, having, or consuming liquor, or acting as an Agent of ANBL, and whose premises are open to the general public. A respondent may either operate an existing store or propose a new store for the location in question.

To be eligible for appointment, an interested party and its affiliates must not own, operate or control more than 10% of the existing agency stores in the province, at the time an REOI or RFQ is issued. ANBL may waive this eligibility requirement where it may result in reduced service in a particular community, or in such other circumstances as determined by the Board of Directors of ANBL in its sole discretion. ANBL reserves the right to adjust this eligibility threshold at any time.

3.4 Agent Store Agreement Conditions

The party to be appointed Agent will be required to enter into an Agency Store agreement (the "agreement") with ANBL, setting out the terms and conditions of the appointment.

Subject to any conditional approval, the appointment will be for a term of five (5) years, with the option to extend for up to 5 years, available at ANBL's discretion. Appointments are subject to earlier termination as provided in the agreement.

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During the term of the agreement, the Channel Sales team will complete annual inspections of the agency to confirm that all standards and requirements of the agency program are met and maintained. If deficiencies exist or non-compliance is identified, these will be documented, and the Channel Sales team will work with the Agent to ensure the deficiencies or non-compliances are addressed. The Agent's performance will be one of the considerations for ANBL when determining whether available option years will be exercised.

Wherever possible, eighteen months prior to the agency agreement expiry, the Agent will be notified of an upcoming REOI or RFQ process to replace the expiring agreement or some other decision regarding service provision in the community will be made.

Where ANBL chooses to establish a corporate store in an area where an agency store is already located, ANBL will endeavour to notify the affected Agent at least one year prior to the expiry of the appointment of that Agent that its appointment will not be renewed.

It is intended that Agents will be selected not less than one year prior to the expiry of the term of the existing Agent, to allow the time necessary to complete a transition from the existing to a new Agent if required.

When an incumbent Agent is unsuccessful in the RFQ process and the agency agreement transitions to a new Agent, the incumbent agrees to a contract extension, as determined by ANBL and not to exceed a 12-month period, to accommodate new construction or renovations as required.

4 Applicability

This policy applies to the ANBL Board of Directors, all ANBL employees, and all Agents of the ANBL Convenience Agent Channel.

5 Authorities

- New Brunswick [Liquor Control Act](#)
- [New Brunswick Liquor Corporation Act](#)
- ANBL [Delegation of Authority Document](#)

6 Guiding Principles

This policy adheres to the following corporate principles as established under ANBL's [Policy Management Policy](#):

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- Health and safety
- Compliance with all relevant regulatory instruments and alignment with the ANBL mandate and strategic plan
- Fairness and equity
- Transparency and clarity
- Consistency and accessibility
- Corporate responsibility (social, economic, and environmental)
- Operational effectiveness and continuous improvement

7 Duties and Responsibilities

The ANBL **Board of Directors** is responsible for approving this Convenience Agent Channel Policy, approving the general location for all new proposed agency stores, and for approving the appointment of any party as Agent of ANBL under this policy.

The **CEO** is responsible for recommending the appointment of any party as Agent of ANBL under this policy to the Board.

The **Procurement Team** is responsible for facilitating a REOI and/or RFQ process to select Agents.

The **Channel Sales team** is responsible to determine the evaluation criteria for the RFQ process and to manage the performance of the Agents over the term of their agreements and administer the contractual and day-to-day operational relationships between ANBL and agency store operators.

8 Approvals

This policy is to be approved by the ANBL Board of Directors.

9 Processes or Procedures Associated with this Policy

- Convenience Agent Channel RFQ process
- REOI process

10 Forms Associated with this Policy

- Agency Form of Agreement

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11 Review and Evaluation Schedule

This policy shall be reviewed annually; however, an unexpected event (e.g., a legislative change) may trigger a review outside of the established schedule.

12 Revision History and Contact Information

Adopted and Approved:	2024-02-01	Approved by ANBL Board of Directors
Revised:	N /A	
Previous Revisions:	N/A	
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