

Non- Compulsory Briefing Session

03 November 2021

Appointment of a Panel of Attorneys for Legal Law Firms as per specified categories for a period of thirty-six (36) months

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DISCUSSION OUTLAY

1. About W&RSETA
2. Purpose of the Legal Panel
3. Terms of reference
4. Important documents to be submitted
5. Evaluation criteria
6. Discussion of the process
7. Questions from Attendees

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ABOUT W&RSETA



- We are a schedule 3A Public Entity per the PFMA
- We are regulated i.to s49 of the PFMA on wards
- We are founded i.t.o Skills Development Act
- We have a Board that regulates the Fiduciary duties and a CEO
- We carry out the mandate of the Department of Higher Education and training Science and Technology and are thus regulated by the same Minister

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PURPOSE OF THE PANEL

- The purpose of the bid is to solicit proposals from a suitably qualified Service Providers to render the legal services within the various Legal disciplines on an ad hoc basis

Litigation	5 Firms
Labour matters	5 Firms
General Legal Advice and Opinion	5 Firms
Commercial/Corporate Law and Governance	5 Firms
Contract Drafting, Vetting, Intellectual Property	5 Firms

- The Panel is appointed for 36 months from the date of appointment .

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BID DETAILS

Bid Name	Appointment of a Panel of Attorneys for Legal Law Firms as per specified categories for a period of thirty-six (36) months
Bid Reference Number	WRSCM-2021/2022-0001
Closing Date	15 November 2021
Closing Time	11:00am
Submission Details	The Manager: Supply Chain Management Riverside Office Park 1303 Heuwel and Lenchen South Avenue Hennops House Centurion

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TERMS AND CONDITIONS FOR BIDDING

1. BID SUBMISSION

- Bids must be delivered by the stipulated time and address
- Late bid will not be accepted
- Bids must be in the official forms, please do not re-type
- Compliant, Technical and Price Proposal form one submission (An original and copy thereof)

Note: Only hard copies of the proposals will be accepted.

- This bid is subject to the Preferential Procurement Policy Framework Act and the Referential Procurement Regulations, 2017, the General Conditions of Contract and if applicable any other Special Conditions of Contract.

2. TAX COMPLIANCE REQUIREMENTS

- Bidders must ensure compliance with their Tax obligations

TERMS AND CONDITIONS FOR BIDDING

4. BID PROCESS

- Administration Compliant
- Technical Evaluation
- Price and Preference Evaluation
- Presentation
- Award
- Contracting
- Notification of Award
- Implementation

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Mandatory Requirements			
Compliance Documentation	Mandatory Submission Requirements	YES	NO
	Bidder must fully complete the Prescribed Standard Bidding Documentation		
	Bidder must be registered on Central Supplier Database (CSD) or must submit proof of registration		
	Bidder must submit two (2) hard copies of the Compliant, Technical and Price Proposal i.e., an Original and a Copy thereof		
	Bidder must provide proof of a valid letter of good standing with the Legal Practice Council		
	Bidder must provide proof of a valid Fidelity Fund Certificate		
	Bidder must provide proof of a valid Admission Certificate to the relevant Law Society and valid Current Membership		
	Bidder must provide a Letter from Auditors that the Firm is in Good Financial Standing		
Failure to adhere to the Mandatory required will result in disqualification of the bidder.			
Technical Evaluation: The Technical threshold for this bid is 80%. Bidders that fail to meet the 80% technical threshold, will not be evaluated on Price.			
Technical Evaluation			

Criteria	Evidence Required	Max score	Points Allocation
Experience and Expertise			
Understanding of the regulatory framework applicable to the related area(s) of specialization and experience of providing legal services to an organ of state (The Firm)			
Experience and understanding of Legislative and Regulatory requirements	<ul style="list-style-type: none"> ▪ Bidder must demonstrate extensive experience and understanding of the legislative and regulatory framework applicable to the related areas of expertise indicated in the scope of services. This the bidder must do by submitting a full company profile and certificates to indicate the firms incorporation date and various affiliates profiles (e.g Senior or Junior advocates, other resources that the firm may use in executing the firms expertise). 	30 points	<ul style="list-style-type: none"> • 15 years of experience to be outlined- 30 points • 5 or more years of experience to be outlined- 20 points • Less than 5 years of experience to be outlined- 10 points

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Criteria	Evidence Required	Max score	Points Allocation
Experience and Expertise			
Understanding of the regulatory framework applicable to the related area(s) of specialization and experience of providing legal services to an organ of state (The Firm)			
Experience of Key Staff Lead Attorney (Team Leader) in the related area(s) of specialization (CV/Profiles to be attached)	<ul style="list-style-type: none"> ▪ Bidders must supply detailed CVs, company profiles, valid qualifications of the team to be allocated to SETA, specific relevant assignments undertaken within organs of state, and preferably within a SETA environment with contact details. 	30 points	<ul style="list-style-type: none"> • Less than 5 years' experience i.e., total duration of professional activity- 10 points • More than 5 years but less than 15 years' experience i.e., total duration of professional activity- 20 points • More than 5 years but more than 15 years' experience i.e., total duration of professional activity- 30 points
Experience in comparative projects	<ul style="list-style-type: none"> ▪ Bidders must supply details of specific relevant assignments undertaken within organs of state, and preferably within a SETA environment with contact details. 	30 points	<ul style="list-style-type: none"> • Two reference letters- 10 points • Four reference letters- 20 points • Six reference letters- 30 points

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Criteria	Evidence Required	Max score	Points Allocation
Capacity and Existence of the Firm			
Understanding of the regulatory framework applicable to the related area(s) of specialization and experience of providing legal services to organs of state (the Firm)			
Law firms reach or ability to practice Nationally	Bidder must indicate footprint of presence Nationally or through its preferred correspondent attorneys in various areas of the country <i>provinces/ nationally</i>	10 points	<ul style="list-style-type: none"> • Footprint in 2-4 provinces- 3 points • Footprint in 4-6 provinces- 5 points • Footprint in 6-9 provinces-10 points
Total			100 points
Minimum functionality qualifying score of 80 points			

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OBJECTIVE OF THE BID

The objective of the bid is to appoint a panel of suitably qualified legal Firms to render Legal Services within various Legal Disciplines indicated in the scope of services. The duration of the ad hoc services will be for thirty-six months (36) however, it should be noted that the appointed legal service providers that form part of the panel will be awarded work on a rotational basis.

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SCOPE OF SERVICE

The Law Firms must choose a category of specialisation, in line with the firms' main area of expertise as tabulated here below:

CATEGORY
General and Specific Litigations (Civil Law or Criminal Law)
Commercial/Corporate Law and Governance
Labour Law
General Legal Advice and Opinions
Contract Vetting, interpretation, and disputes

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DISCUSSION OF PROCESS

- BID RECEPTION
- BID OPENING
- BID EVALUATION
- BID ADJUCICATION
- SIGN OFF BY CEO- AWARD LETTER
- AWARD LETTER SIGNED BY AWARDEE
- CONTRACTING
- AD HOC LEGAL WORK DISTRIBUTION AND PERFORMANCE ASSESMENT OF SERVICE PROVIDED

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Questions?

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Thank you!

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