

REQUEST FOR BIDS

Reference: GTAC 005-2021-22

Description: ESTABLISHMENT OF A GOVERNMENT TECHNICAL ADVISORY CENTRE (GTAC) PANEL OF LEGAL SERVICE PROVIDERS FOR A PERIOD OF THREE (3) YEARS – BATCH 5

Date advertised: 3 June 2021

Closing date: 25 June 2021

Closing time: 11h00

Tender Box: National Treasury, Ground Floor, 240 Madiba Street, Pretoria CBD

Batch 5 includes the following Legal Services categories:

- Category A: Commercial Law and Company Law
- Category B: Constitutional Law, Administrative Law and Public Procurement Law
- Category C: Labour and Employment Law
- Category D: Litigation and Arbitration
- Category E: General Legal Advice

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1 INTRODUCTION

The Government Technical Advisory Centre (GTAC) was promulgated through a Legal Notice (35194) published in the Government Gazette on 30 March 2012. The head office is located in the National Treasury at 240 Madiba Street, Pretoria.

GTAC's objective is to assist Organs of State in building their capacity for efficient, effective and transparent financial management. The functions of GTAC are:

- To render institutional development support to Centre of Government Departments and Organs of State;
- To provide specialised procurement support for high-impact government initiatives;
- To render advice on the feasibility of infrastructure projects;
- To provide knowledge management for projects undertaken; and
- Anything ancillary to the functions listed in this subparagraph.

(*Sect. 2 (1) and (2) of the Schedule, Government Notice 261, 30 March 2012.; The Centre of Government Departments are the National Treasury, Department of Planning, Monitoring and Evaluation (DPME), Department of Public Service and Administration (DPSA) and Department of Cooperative Governance and Traditional Affairs (CoGTA)).

GTAC requires that a panel is established to functionally address a range of diverse skills, experience and competencies. These terms of reference provide the basis through which this will be done. The panel will be established in different batches as individual bids.

2 GTAC OVERVIEW

GTAC's founding notice indicates that it provides services to its clients, through agreements with the National Treasury, centre-of-government departments and organs of state.

GTAC operates within the general guidance provided by the Minister of Finance. The Minister may, subject to applicable legislation, instruct it to:

- Provide services regarding financial planning for and the costing of policies that are being developed.
- Provide economic analysis and actuarial advice on programmes and projects.
- Perform other functions that are complementary or additional to the functions listed.

GTAC projects are delivered through a combination of the use of highly skilled technical officials and long-term advisors who form the basis of the technical expertise in the organisation.

GTAC services encompass several business areas as set out below. More information on the organisation and its work may be found on the GTAC website.

2.1 **Capital Projects Appraisal Services**

- The Capital Projects Appraisal unit assists the National Treasury in its review and assessment of infrastructure proposals to ensure value for money, affordability and efficiency in infrastructure expenditure. It provides analytical and advisory capacity to facilitate the appraisal of large, strategic and complex projects.
 - The areas in which the services are provided include transport, water and sanitation, energy, telecommunications, health as well as education.
 - Types of experts needed to support the services include: Financial Modellers, Spatial Planners; Economists; Financial Analysts; Engineers; Environmental Specialists; Policy Analysts and Sector Experts.

2.2 **Institutional Development Support (IDS)**

- The Institutional Development Support (IDS) unit provides bespoke public sector advice and technical support to government departments, with a view to building the capacity of government institutions for better financial management and improved service delivery.
- The unit responds to requests from client departments, offering a consulting service delivery model which incorporates innovative approaches to resolving challenges in public sector institutions. It deploys multi-disciplinary teams of advisors to provide quality institutional development and support services, comprising macro-institutional support, organisational strengthening support, and service delivery improvement modalities and approaches, to build the capacity of the state.
- These advisory and technical support services include comparative analysis of delivery models, development of business cases, supporting organisational reviews, diagnostics and feasibility studies, change management interventions, intragovernmental infrastructure delivery support, and programme and project management support.
- Types of experts needed to support these GTAC services are: Project managers; Programme managers; Legal; Economists; Actuarial Scientists; Performance Management; Leadership Development; Change Management; Procurement; Business Process Management advisors; Operations Management advisors; Spatial and Town Planners.

2.3 **Public Expenditure and Policy Analysis Services**

- The Public Expenditure and Policy Analysis unit provides analysis of and insights into the performance, cost effectiveness and expenditure trends of government programmes by:
 - Conducting performance and expenditure reviews which scrutinise expenditure patterns and programme performance data, and cost the implications of legislative changes and policy choices across all spheres of government, public entities and frontline service delivery sites;
 - Capacitating responsible authorities to perform their own analyses using the proven methodologies; and

- Analysing personnel expenditure trends for sectors including Education, Health, Justice and central administration departments using payroll and other relevant datasets, including tax and survey data.
- The types of experts needed to support this service delivery are: Public Sector Economists; Public Policy Specialists; Business Process Analysis and Re-Engineering Specialists; Monitoring and Evaluation Experts; Public Sector Micro Economists; Financial Modellers; Report Writers; Statisticians and Big Data Analysts; Infographers.

2.4 **Municipal Finance Improvement Programme Services**

- The Municipal Finance and Improvement Programme services are provided to build capacity of financial management of municipalities at local and provincial levels.
- The types of services needed to support these GTAC services are Municipal and Provincial Financial Management Experts; a wide range of municipal financial expertise such as Municipal Standard Chart of Accounts (MSCOA) experts, Supply Change Management Experts, Budgeting and Reporting; Asset Management; as well as Audit Findings Resolution Management.

2.5 **Jobs Fund Service**

- The Jobs Fund was established in 2011 with the aim of supporting innovative initiatives and approaches to job creation. The Fund operates on challenge fund principles and all funding allocations are made on a competitive basis in a transparent and open manner. Project partners are required to match the grant fund allocations either on a 1:1 ratio or higher. The Jobs Fund explores options for tackling barriers to job creation by providing public funding through four Funding Windows: Enterprise Development, Support for Work seekers, Institutional Capacity Building and Infrastructure Development.
- Areas of expertise required: Supply Chain Management; Commercial, Corporate, & Finance Law; Project Financing; Socio-economic Assessment; Value Chain Analysis; Business Process Mapping and Re-engineering; Financial Investment Structuring; Grant Development Programme; Economic Modelling; Development Finance; Policy Development; Community/Social Facilitation; Data Analytics; SMME Development; Spatial Development; Innovation and Technology.
- Jobs Fund projects intervene across sectors and thus multiple sector expertise is required. This includes: Agriculture; Manufacturing; Training & Capacity Building (work seeker and enterprise development support programmes); Wholesale & Retail Trade; BPO; Finance & Business Services; ICT; Tourism; Craft & Design; Industrialisation.

2.6 **Transaction Advisory Service and Public Private Partnership (TAS and PPP)**

- The Transaction Advisory Service and Public Private Partnership unit provides assistance to Government Institutions in the planning, procurement and implementation of large-scale transactions for infrastructure and related services. It assists Departments and Organs of State in establishing appropriate transactional advisory support for large projects and provides diverse advisory support for smaller transactions. It also provides support for major infrastructure procurement projects,

Public Private Partnerships and service delivery improvement programmes, including project conception and registration, transaction process support, legal and financial advice. The key objective is to improve the quality of project outcomes by ensuring a link between the objectives of government and the ultimate contract. Transaction support involves transaction planning, feasibility analysis, procurement and institutionalization.

2.7 **GTAC Support Services**

- GTAC support services are comprised of the Professional Services Procurement unit, Strategy Management and Communications unit, Financial Management unit as well as the Human Capital and Corporate Services unit. These units are responsible for providing operational support to the aforementioned Business and Project Management units.

3 PURPOSE OF THIS REQUEST FOR BID

GTAC seeks to establish a panel of Legal Service Providers to support its operations. These terms of reference detail the specific skills and expertise required for selection onto the panel.

The purpose of this Request for Bid (RFB) is to solicit proposals from Bidders to enable GTAC to appoint a Panel of Legal Service Providers, hereafter referred to interchangeably as “Bidders” or “Service Providers”. Bid proposals will be accepted from both individuals (Sole Proprietors) and companies in the form of a registered entity.

The objectives are set out in more detail in section 7 of this RFB document. This RFB does not constitute an offer to do business with GTAC, but merely serves as an invitation to Bidders to facilitate a requirements-based decision process.

4 DURATION OF PANEL

The Panel will be valid for a period of thirty-six (36) months. There will be an option to extend periodically, at GTAC’s discretion.

5 PROJECTED TIMELINES OF THE BID PROCESS

The validity period is 180 days after the closing date of the bid. The project timeframes of this bid are set out below:

Activity	Dates
Advertisement on the National Treasury e-Tender Portal and GTAC website	3 June 2021
Bidder clarifications	3 June 2021 – 18 June 2021
Questions and answers uploaded onto the GTAC website	21 June 2021
Closing date and time of the bid	25 June 2021 at 11h00

All times and dates in this Terms of Reference are South African Standard Time.

6 CONTACT

No briefing session will be held for this Request for Bid. Bidders are urged to submit all requests for clarification in writing via e-mail to psp@gtac.gov.za. Requests for clarification will be accepted by GTAC until 18 June 2021. The submission reference (GTAC 005-2021-22) must be included in the subject line of the e-mail.

The clarifications and the Frequently Asked Questions will be made available to all potential Bidders by way of notification on the GTAC website:

<https://www.gtac.gov.za/tender-info/tenders/advertised-tenders>

7 SCOPE OF WORK/BUSINESS REQUIREMENTS

7.1 Background

The purpose of this Request for Bid is to present to Bidders the requirements of the Government Technical Advisory Centre (“GTAC”) for appointment of service providers to serve on a Panel of approved legal service providers. GTAC may from time to time utilise the services of the aforesaid service providers to provide various legal services to GTAC.

7.2 Appointment Terms

GTAC does not guarantee that successful Bidders will receive work during the appointment term. Service providers will be used on an ad hoc basis as and when required by GTAC. Successful Bidders will be appointed for a period of thirty-six (36) months.

7.2.1 Legal Services Categories

Bidders may submit proposals to be appointed to GTAC's Panel for Legal Services in respect of any one or any combination of the following categories:

- **Category A: Commercial Law and Corporate Law** – The services required by GTAC in the form of commercial and corporate law, would entail the drafting and/or reviewing and/or interpreting agreements (for example, Memoranda of Agreements, Grant Agreements, Service Level Agreements etc.); provision of oral and written legal advice; advising on legislative and regulatory matters, corporate governance and structures as well as any other corporate advisory work.
- **Category B: Constitutional Law; Administrative Law and Public Procurement Law** – The services required by GTAC would entail Constitutional, Administrative and Public Procurement Law related matters.
- **Category C: Labour and Employment Law** – The services required by GTAC in the form of labour and employment law, would entail advising on labour and employment law related matters including but not limited to conditions of public service. Assist in disciplinary hearings, arbitration and other dispute resolution fora.
- **Category D: Litigation/ Arbitration** – The services required by GTAC in the form of litigation/ arbitration and legal advice, would entail conducting litigation and/or arbitration; developing and/or reviewing appropriate litigation strategies; ensuring effective and efficient litigation and arbitration processes are followed; costs recovery; providing oral and written legal advice throughout litigation and arbitration processes (conducting due diligence exercises and conducting fraud investigations etc.).
- **Category E: General Legal Advice** - The general legal services required by GTAC would entail providing legal support in the appraisal of grant applications, conducting due diligence exercises, investigating conflict of interest, fraud and corruption allegations.

7.2.2 Bidders must note that five (5) bidders will be appointed per respective category. GTAC's legal panel will thus be limited to twenty-five (25) service providers overall.

Pricing

7.2.3 For pricing purposes Legal Advisors/ Attorneys employed by the bidder shall be divided into five tiers. GTAC requires bidders to provide rates for all pricing tiers for each respective category the bidder is responding to in order to be considered for price and B-BBEE evaluation.

- Tier 1: Candidate Attorneys/ Trainees/ Paralegals;
- Tier 2: Legal Advisors/ Attorneys with up to 3 (three) years relevant post-article experience;
- Tier 3: Legal Advisors/ Attorneys with more than 3 (three) years, but equal to or less than 7 (seven) years relevant post article experience;
- Tier 4: Legal Advisors/ Attorneys with more than 7 years but equal to or less than 15 (fifteen) years relevant post-article experience; and
- Tier 5: Legal Advisors/ Attorneys with more than 15 (fifteen) years relevant post-article experience.

7.2.4 The GTAC schedule of rates will remain fixed for a period of 24 months.

7.2.4.1 GTAC reserves the right to indicate the level of Legal Advisor / Attorney that is required to render the specific legal services to GTAC, with reference to the aforesaid tiers. Should a service provider choose to assign a Legal Advisor / Attorney who falls in a higher tier to attend to the instruction, such service provider may not charge the higher fee.

7.2.4.2 In the event that GTAC has not prescribed the level of Legal Advisor / Attorney required for a specific instruction, the bidder must in good faith appoint a Legal Advisor / Attorney with suitable experience and qualifications.

7.2.4.3 In the event that a Legal Advisor / Attorney moves to a new tier during the service provider's appointment term, the service provider shall notify GTAC accordingly in writing and GTAC shall have the right to request another Legal Advisor / Attorney from the service provider who is at the same tier as the Legal Advisor / Attorney who as initially appointed to replace him/her before such Legal Advisor / Attorney renders his/her next account to GTAC.

7.2.4.4 The service provider is required to advise GTAC of any new professional staff members appointed during the contract term to attend to GTAC's instructions and shall furnish GTAC with a short curriculum vitae, including the appointee's applicable tier, prior to such new appointee commencing work on a GTAC matter.

7.2.5 Panel Approach

The approach to the establishment of the GTAC panel, is to stagger the process in batches. Each batch is issued in a separate Request for Bid. Each category within a batch will be evaluated separately (***refer to Annexures A - E for the evaluation criteria. Bidders must tailor their response in accordance with the respective category(ies) selected.***)

7.2.6 GTAC Panel Utilisation

The Panel will be utilised as requirements arise within the organisation and in accordance with the principal guidelines below:

- a. Appointment onto the Panel will not guarantee any future work.
- b. GTAC will utilise the Panel in a manner which promotes the elements of transparency, fairness and equal opportunity in the utilisation and management of the Panel.
- c. The selection of service providers from the panel for assignments shall be on a rotational basis in accordance with the respective legal category, complexity of the assignment as well as cost and budget considerations, (I.e. legal service category, pricing tier and internal budget).

7.3 Bid Submission Requirements:

Bidders should ensure that the following submission requirements are included in their bids:

- a. Duly completed and signed Standard Bidding Documents (SBD 1, 4, 6.1, 8, 9 and Appendix B - Pricing Schedule).

- b. Central Supplier Database (CSD) number/report for verification of tax compliance status.
- c. Bidder technical proposal cover page (template provided as **Appendix A**).
- d. Response to Technical Requirements including client references (**Refer to Annexures A - E**).
- e. A price proposal aligned to the categories the bidder has responded to in the technical proposal. Bidders must provide rates across all pricing tiers for each category the bidder is responding to.
- f. Cop(ies) of the relevant tertiary qualification(s) or equivalent from a recognised institution in line with area of expertise (where applicable). GTAC reserves the right to request receipt of certified copies of qualifications after the closing date of the bid.
- g. All international qualifications must be accompanied by South African Qualifications Authority (SAQA) accreditation. GTAC reserves the right to verify SAQA accreditation.
- h. Information included in the CV of the Principal Legal Practitioner **per category** should include relevant experience in the chosen area of expertise demonstrating the required competency.
- i. Only **one (1)** CV will be evaluated per category, in the event that more than one CV is submitted per category, the first CV that appears in the bid for the respective category will be evaluated (CV template provided as **Annexure F**).
- j. Relevant Programmes/Projects completed or in progress by the bidder. Specify the role you played in the listed projects/assignments. (Customised (per category) CV/Information templates are provided as **Annexure F**). The same template will be used by an individual (sole proprietor) and Organisation/Entity.
- k. Submit a letter of good standing with the relevant professional body (e.g. Legal Practice Council).
- l. Submit a valid Fidelity Fund certificate.
- m. Bidders must submit one original hard copy bid proposal and three copies of the original bid proposal. The original file and duplicate files must be clearly marked as "Original" or "Copy/Duplicate".

8 MANDATORY REQUIREMENTS

The following will lead to disqualification of a bid:

- a. Any bidder representative (Director/Shareholder/Proposed Resource) who is employed by the state will not be considered. I.e. In the event that a bidder representative is in the employ of the state, such a bid proposal will not be considered by GTAC.
- b. Non-submission of a technical or incomplete price proposal (refer to section 9.4).
- c. Non-submission of duly completed and signed standard bidding documents (refer to section 9.1).

- d. Failure to submit the certificate of membership to Legal Practice Council for each proposed Principal Legal Practitioner.
- e. Failure to submit a valid Fidelity Fund Certificate.
- f. A legal practice / consultancy / sole proprietor must be established for a minimum period of 5 (five) years or in the case of a sole proprietor have at least 5 (five) years post-article experience. Bidders must provide a copy of the registration letter from the Legal Practice Council indicating date of incorporation.

9 EVALUATION AND SELECTION CRITERIA

GTAC has set minimum standards that bidders must meet, in order to be selected as a successful applicant. Minimum standards consist of the following:

- Administrative Compliance – Bidders must submit all Standard Bidding Documents (SBD), as outlined in paragraph 9.1 below. SBD documents must be completed in full and duly signed where required.
- Technical Evaluation – Bidder(s) must meet the threshold of 70% per category.
- Price and B-BBEE evaluation – Bidders price proposals and B-BBEE level will be used for evaluation.

9.1 Administrative Compliance

During the administrative compliance phase, proposals will be pre-screened to determine compliance with tax matters, Central Supplier Database (CSD) registration, submission of complete and duly signed Standard Bidding Documents (SBD) and other requirements as indicated below:

Document to be submitted	Requirement	Non-submission may result in disqualification?
Hard copy proposal delivered to GTAC tender box before closing date and time	Delivery of a hard copy proposal before the closing date and time.	YES
Invitation to bid – SBD 1	Complete and sign the supplied pro forma document.	YES
Central Supplier Database (CSD) Registration Report or CSD Registration number	Bidders must be registered the Central Database System and submit the Report as confirmation of registration at the closing date of the bid.	YES
Declaration of Interest – SBD 4	Complete and sign the supplied pro forma document.	YES
Preference Point Claim Form – SBD 6.1 and B-	Complete and sign the supplied pro forma document.	NO

Document to be submitted	Requirement	Non-submission may result in disqualification?
BBEE certificate or B-BBEE Affidavit		
Declaration of bidder's past Supply Chain Management practices – SBD 8	Complete and sign the supplied pro forma document.	YES
Certificate of Independent bid Determination – SBD 9	Complete and sign the supplied pro forma document.	YES
Appendix A – Technical Proposal Cover Page	Complete and provide the document as a cover page to the technical proposal	NO
Appendix B – Pricing Schedule	Complete and provide as confirmation of proposed rates for all tiers.	YES

9.2 Functionality Evaluation

- a. Only bidders that have met the requirements for administrative compliance will be evaluated for functionality.
- b. Bid proposals will be evaluated strictly in accordance with the technical evaluation criteria stipulated in **Annexures A - E**. Bid proposals will be evaluated for functionality and only those who meet the minimum threshold of 70% per category will qualify for appointment onto the Panel.
- c. A customised CV / Information Template is provided for response to all the categories and included in **Annexure F**. Bidders must use the correct template provided.

9.3 Functionality Evaluation Criteria

The technical/functionality requirements for all categories is set out in Annexures A - E. Bidders will be evaluated out of weighted scores of 100%. Bidders must obtain a minimum threshold of 70% in order to qualify for appointment onto the Panel. A customised CV / Information Template is provided for response to each of the categories and included in Annexure F. Bidders must use the correct template provided.

Functionality	Maximum weight achievable per category (%)	Minimum threshold per category-weighted score (%)
Technical Evaluation	100%	70%

9.4 Price & B-BBEE Evaluation

- a. All bidders who have met the threshold for technical evaluation will be evaluated in terms of price and B-BBEE per respective category. The outcome of the 80/20

preference points evaluation will be used to shortlist five (5) recommended bidders per respective category.

- b. Bidders must provide a duly completed pricing schedule (**Appendix B**) as well as a valid B-BBEE certificate (certified) or Sworn B-BBEE Affidavit (not older than 12 months and duly signed by a commissioner of oaths) as well as a duly completed SCM SBD 6.1 – Preference Points Claim Form.
- c. Bidders must note that GTAC has prescribed maximum rates per category and across the resource tiers. Bidders price proposals must therefore not exceed the proposed maximum rates in order to be considered valid. The maximum prescribed rates are indicated in **Appendix B**.
- d. Bidders price proposals will be considered invalid in the event that a bidder has failed to provide prices on all tiers in the respective category/ies the bidder has bid for.

10 INSTRUCTIONS FOR COMPLETION AND SUBMISSION OF BID PROPOSALS

10.1 Content and packaging of the Bid Proposal

Bidders must submit one original hard copy bid proposal and three copies of the original bid proposal. The original file and duplicate files must be packaged in a file as follows and clearly marked as “Original” or “Copy/Duplicate”:

Title	
Part 1: Standard bidding documents and administrative compliance	
1	SCM SBD 1 – Invitation to bid
2	SCM SBD 4 – Declaration of interest
3	SCM SBD 6.1 – Preference Points Claim Form
4	SCM SBD 8 - Declaration of bidder’s past supply chain management practices
5	SCM SBD 9 - Certificate of independent bid determination
6	Central Supplier Database (CSD) Registration Report or CSD Registration number
7	Certified B-BBEE Certificate / Sworn Affidavit
8	General Conditions of Contract (GCC)
Part 2: Technical proposal	
9	Bidder’s technical proposal cover page (Appendix A)
10	CV of the Principal Legal Practitioner /Information template (Annexure F)
11	Cop(ies) of qualification(s)
Part 3: Pricing Proposal	
12	Pricing Schedule (Appendix B)

10.2 Labelling of Bid

The bidder must place the hardcopy bid proposal into a sealed envelope or package and must be clearly marked and addressed as follows:

BID:	ESTABLISHMENT OF A GOVERNMENT TECHNICAL ADVISORY CENTRE (GTAC) PANEL OF LEGAL SERVICE PROVIDERS FOR A PERIOD OF THREE (3) YEARS - BATCH 5
Bid Reference No:	GTAC 005-2021-22
Submission closing date:	25 June 2021
Submission closing time:	11:00
Name of Bidder:	
Contact number of Bidder:	
Address of Bidder:	

10.3 Bid Submission address and contact Details

Bid closing date and time: 25 June 2021 at 11h00

Hardcopy tender submissions must be made to:

GTAC Tender Box
National Treasury Building
240 Madiba Street
Ground Floor, Reception Area

The tender box is accessible between office hours (08h00:17h00).

NB: SUBMISSIONS MUST NOT BE MADE AT THE NATIONAL TREASURY TENDER BOX AT THE TENDER INFORMATION CENTRE (TIC).

11 CONDITIONS OF BID

- 11.1 Bidders who fail to score 70% or more on the technical evaluation per category will not be considered for price and B-BBEE evaluation.
- 11.2 The outcome of the price and B-BBEE evaluation will be used for purposes of recommending a maximum of five (5) service providers per respective category. GTAC reserves the right to appoint less than five (5) service providers per category.
- 11.3 Late submissions will not be accepted.
- 11.4 GTAC reserves the right during the term of the Panel, if necessary, to appoint service providers outside the approved Panel of Professional Service Providers.
- 11.5 All returnable bid documents must be completed in full and submitted together with the bidder's proposal. Completion of the Standard Bidding Documents is mandatory, failure to do so may render your bid offer invalid.
- 11.6 Bidders are advised that submission of a bid gives rise to no contractual obligations on the part of GTAC.
- 11.7 Proof of Central Supplier Database (CSD) registration must be submitted with your bid documents.
- 11.8 GTAC reserves the right not to award or to cancel this bid at any time.

12 TAX COMPLIANCE STATUS

The Tax compliance status verification is conducted via the Central Supplier Database (CSD) number certifying that the taxes of the bidder are in order must be submitted at the closing date and time.

13 COMMUNICATION

Professional Services Procurement (PSP) within GTAC will communicate with bidders for, among others, where bid clarity is sought, to obtain information or to extend the validity period. Any communication either letter or electronic mail or any other form of correspondence to any government official, department or representative of a testing institution or a person acting in an advisory capacity for GTAC in respect of this bid between the closing date and the award of the bid by the bidder is prohibited.

14 MANDATORY CRITERIA FOR BIDDERS

The table below indicates the mandatory requirements for bidders. Failure to submit any of the documents/evidence cited below will result in disqualification.

MANDATORY REQUIREMENTS	
Criteria	Bidders must submit the following information/evidence
A legal practice / consultancy / sole proprietor must be established for a minimum period of 5 (five) years or in the case of a sole proprietor have at least 5 (five) years post-article experience.	<p>Bidders must provide the following supporting documentation:</p> <ol style="list-style-type: none"> 1) Copies of company registration documents / partnership agreement; 2) Proof of incorporation i.e. opening date of the legal practice / consultancy and if a legal practice, from the Legal Practice Council (letter from the Legal Practice Council to be provided); 3) Copies of the Practice Management Certificates of Principle Legal Practitioners, if applicable (i.e. post 14 August 2009, alternatively proof of exemption from the relevant Provincial Law Society); 4) Copies of Admission Certificates for all Principle Legal Practitioners; and 5) Copies of Fidelity Fund Certificates.

GTAC reserves the right to verify the membership and certification with the Legal Practice Council.

15 ANNEXURE A: TECHNICAL EVALUATION CRITERIA – CATEGORY A (COMMERCIAL LAW AND COMPANY LAW).

Bidders' technical proposals will be evaluated in accordance with the evaluation criteria below. Only Bidders who have met the threshold of 70% per respective category for technical evaluation will be appointed onto the Panel.

EVALUATION CRITERIA – CATEGORY A (COMMERCIAL LAW AND COMPANY LAW)			
Criteria	Scoring values	Weight (%)	Bidders must submit the following information/evidence
QUALIFICATIONS OF PRINCIPAL LEGAL PRACTITIONER			
Master's Degree or above (NQF 9+)	5 = Excellent	20	Copies of legal and professional qualifications of
Postgraduate Qualification (NQF 8)	4 = Good		

Degree/B-tech/National Diploma (NQF 7)	3 = Satisfactory		Principal Legal Practitioner as well as SAQA accreditation in the case of international qualifications.
Diploma Advanced Certificate (NQF 6)	2 = Poor		
Higher Certificate (NQF 5)	1=Not Acceptable		
YEARS OF POST ARTICLE EXPERIENCE OF PRINCIPAL LEGAL PRACTITIONER			
The Principal Legal Practitioner has over 15 years of post-article experience in the respective field.	5 = Excellent	40	Bidders must submit detailed CV's of the proposed Principal Legal Practitioner per category that specifically indicates the number of years (post-article) experience). Bidders must make use of the CV template provided as Annexure F.
The Principal Legal Practitioner has between 11 – 14 years of post-article experience in the respective field.	4 = Good		
The Principal Legal Practitioner has between 7 – 10 years of post-article experience in the respective field.	3 = Satisfactory		
The Principal Legal Practitioner has between 3 – 6 years of post-article experience in the respective field.	2 = Poor		
The Principal Legal Practitioner has less than 3 years of post-article experience in the respective field.	1=Not Acceptable		
PRINCIPAL LEGAL PRACTITIONER CLIENT TRACK RECORD			
The Principal Legal Practitioner has demonstrated a track record of working with over 10 clients.	5 = Excellent	30	Bidders must submit detailed CV's of the proposed Principal Legal Practitioner per category that specifically indicates the Principal Legal Practitioner's major/key clients (current and/or past), together with an indication of the nature and duration of such attorney/client relationships. Bidders must make use of the CV template provided as Annexure F.
The Principal Legal Practitioner has demonstrated a track record of working with 9 – 10 clients.	4 = Good		
The Principal Legal Practitioner has demonstrated a track record of working with 7 – 8 clients.	3 = Satisfactory		
The Principal Legal Practitioner has demonstrated a track record of working with 5 – 6 clients.	2 = Poor		
The Principal Legal Practitioner has demonstrated a track record of working with less than 5 clients.	1=Not Acceptable		
CLIENT REFERENCES (LEGAL FIRM/CONSULTANCY/PRINCIPAL LEGAL PRACTITIONER)			
3 references provided that meet all Criteria listed	5 = Excellent	10	Bidders must provide references/testimonial

3 references provided, however not all listed Criteria is met	4 = Good	s from 3 current/recent (not older than 24 months) clients to whom legal services are/were provided in the respective field. The aforesaid references must be on the client's letterhead and the duration of such specific attorney/client relationship, a brief description of the legal services that are/were being provided by the Bidder to such client, as well as the level of client satisfaction.
2 references provided that meet all Criteria listed	3 = Satisfactory	
2 references provided, however not all listed Criteria is met	2 = Poor	
Less than 2 references provided	1=Not Acceptable	
MAXIMUM POINTS		100
TECHNICAL THRESHOLD		70

16 ANNEXURE B: TECHNICAL EVALUATION CRITERIA – CATEGORY B (CONSTITUTIONAL LAW, ADMINISTRATIVE LAW AND PUBLIC PROCUREMENT LAW).

Bidders' technical proposals will be evaluated in accordance with the evaluation criteria below. Only Bidders who have met the threshold of 70% per respective category for technical evaluation will be appointed onto the Panel.

EVALUATION CRITERIA – CATEGORY B (CONSTITUTIONAL LAW, ADMINISTRATIVE LAW AND PUBLIC PROCUREMENT LAW)			
Criteria	Scoring values	Weight (%)	Bidders must submit the following information/evidence
QUALIFICATIONS OF PRINCIPAL LEGAL PRACTITIONER			
Master's Degree or above (NQF 9+)	5 = Excellent	20	Copies of legal academic and professional qualifications of Principal Legal Practitioner as well as SAQA accreditation in the case of international qualifications.
Postgraduate Qualification (NQF 8)	4 = Good		
Degree/B-tech/National Diploma (NQF 7)	3 = Satisfactory		
Diploma Advanced Certificate (NQF 6)	2 = Poor		
Higher Certificate (NQF 5)	1=Not Acceptable		
YEARS OF POST ARTICLE EXPERIENCE OF PRINCIPAL LEGAL PRACTITIONER			
The Principal Legal Practitioner has over 15 years of post-article experience in the respective field.	5 = Excellent	40	Bidders must submit detailed CV's of the proposed Principal Legal Practitioner per category that specifically indicates the number of years (post-article) experience). Bidders must make use of the CV template provided as Annexure F.
The Principal Legal Practitioner has between 11 – 14 years of post-article experience in the respective field.	4 = Good		
The Principal Legal Practitioner has between 7 – 10 years of post-article experience in the respective field.	3 = Satisfactory		
The Principal Legal Practitioner has between 3 – 6 years of post-article experience in the respective field.	2 = Poor		
The Principal Legal Practitioner has less than 3 years of post-article experience in the respective field.	1=Not Acceptable		
PRINCIPAL LEGAL PRACTITIONER CLIENT TRACK RECORD			
The Principal Legal Practitioner has demonstrated a track record of working with over 10 clients.	5 = Excellent	30	Bidders must submit detailed CV's of the

The Principal Legal Practitioner has demonstrated a track record of working with 9 – 10 clients.	4 = Good		<p>proposed Principal Legal Practitioner per category that specifically indicates the Principal Legal Practitioner's major/key clients (current and/or past), together with an indication of the nature and duration of such attorney/client relationships.</p> <p>Bidders must make use of the CV template provided as Annexure F.</p>
The Principal Legal Practitioner has demonstrated a track record of working with 7 – 8 clients.	3 = Satisfactory		
The Principal Legal Practitioner has demonstrated a track record of working with 5 – 6 clients.	2 = Poor		
The Principal Legal Practitioner has demonstrated a track record of working with less than 5 clients.	1=Not Acceptable		
CLIENT REFERENCES (LEGAL FIRM/CONSULTANCY/PRINCIPAL LEGAL PRACTITIONER)			
3 references provided that meet all Criteria listed	5 = Excellent	10	<p>Bidders must provide references/testimonials from 3 current/recent (not older than 24 months) clients to whom legal services are/were provided in the respective field. The aforesaid references must be on the client's letterhead and the duration of such specific attorney/client relationship, a brief description of the legal services that are/were being provided by the Bidder to such client, as well as the level of client satisfaction.</p>
3 references provided, however not all listed Criteria is met	4 = Good		
2 references provided that meet all Criteria listed	3 = Satisfactory		
2 references provided, however not all listed Criteria is met	2 = Poor		
Less than 2 references provided	1=Not Acceptable		
MAXIMUM POINTS		100	
TECHNICAL THRESHOLD		70	

17 ANNEXURE C: TECHNICAL EVALUATION CRITERIA – CATEGORY C (LABOUR AND EMPLOYMENT LAW).

Bidders' technical proposals will be evaluated in accordance with the evaluation criteria below. Only Bidders who have met the threshold of 70% per respective category for technical evaluation will be appointed onto the Panel.

EVALUATION CRITERIA – CATEGORY B (LABOUR AND EMPLOYMENT LAW)			
Criteria	Scoring values	Weight (%)	Bidders must submit the following information/evidence
QUALIFICATIONS OF PRINCIPAL LEGAL PRACTITIONER			
Master's Degree or above (NQF 9+)	5 = Excellent	20	Copies of legal and professional qualifications of Principal Legal Practitioner as well as SAQA accreditation in the case of international qualifications.
Postgraduate Qualification (NQF 8)	4 = Good		
Degree/B-tech/National Diploma (NQF 7)	3 = Satisfactory		
Diploma Advanced Certificate (NQF 6)	2 = Poor		
Higher Certificate (NQF 5)	1=Not Acceptable		
YEARS OF POST ARTICLE EXPERIENCE OF PRINCIPAL LEGAL PRACTITIONER			
The Principal Legal Practitioner has over 15 years of post-article experience in the respective field.	5 = Excellent	40	Bidders must submit detailed CV's of the proposed Principal Legal Practitioner per category that specifically indicates the number of years (post-article) experience). Bidders must make use of the CV template provided as Annexure F.
The Principal Legal Practitioner has between 11 – 14 years of post-article experience in the respective field.	4 = Good		
The Principal Legal Practitioner has between 7 – 10 years of post-article experience in the respective field.	3 = Satisfactory		
The Principal Legal Practitioner has between 3 – 6 years of post-article experience in the respective field.	2 = Poor		
The Principal Legal Practitioner has less than 3 years of post-article experience in the respective field.	1=Not Acceptable		
PRINCIPAL LEGAL PRACTITIONER CLIENT TRACK RECORD			
The Principal Legal Practitioner has demonstrated a track record of working with over 10 clients.	5 = Excellent	30	Bidders must submit detailed CV's of the

The Principal Legal Practitioner has demonstrated a track record of working with 9 – 10 clients.	4 = Good		<p>proposed Principal Legal Practitioner per category that specifically indicates the Principal Legal Practitioner's major/key clients (current and/or past), together with an indication of the nature and duration of such attorney/client relationships.</p> <p>Bidders must make use of the CV template provided as Annexure F.</p>
The Principal Legal Practitioner has demonstrated a track record of working with 7 – 8 clients.	3 = Satisfactory		
The Principal Legal Practitioner has demonstrated a track record of working with 5 – 6 clients.	2 = Poor		
The Principal Legal Practitioner has demonstrated a track record of working with less than 5 clients.	1=Not Acceptable		
CLIENT REFERENCES (LEGAL FIRM/CONSULTANCY/PRINCIPAL LEGAL PRACTITIONER)			
3 references provided that meet all Criteria listed	5 = Excellent	10	<p>Bidders must provide references/testimonials from 3 current/recent (not older than 24 months) clients to whom legal services are/were provided in the respective field. The aforesaid references must be on the client's letterhead and the duration of such specific attorney/client relationship, a brief description of the legal services that are/were being provided by the Bidder to such client, as well as the level of client satisfaction.</p>
3 references provided, however not all listed Criteria is met	4 = Good		
2 references provided that meet all Criteria listed	3 = Satisfactory		
2 references provided, however not all listed Criteria is met	2 = Poor		
Less than 2 references provided	1=Not Acceptable		
MAXIMUM POINTS		100	
TECHNICAL THRESHOLD		70	

18 ANNEXURE D: TECHNICAL EVALUATION CRITERIA – CATEGORY D (LITIGATION / ARBITRATION).

Bidders' technical proposals will be evaluated in accordance with the evaluation criteria below. Only Bidders who have met the threshold of 70% per respective category for technical evaluation will be appointed onto the Panel.

EVALUATION CRITERIA – CATEGORY D (LITIGATION / ARBITRATION)			
Criteria	Scoring values	Weight (%)	Bidders must submit the following information/evidence
QUALIFICATIONS OF PRINCIPAL LEGAL PRACTITIONER			
Master's Degree or above (NQF 9+)	5 = Excellent	20	Copies of legal and professional qualifications of Principal Legal Practitioner as well as SAQA accreditation in the case of international qualifications.
Postgraduate Qualification (NQF 8)	4 = Good		
Degree/B-tech/National Diploma (NQF 7)	3 = Satisfactory		
Diploma Advanced Certificate (NQF 6)	2 = Poor		
Higher Certificate (NQF 5)	1=Not Acceptable		
YEARS OF POST ARTICLE EXPERIENCE OF PRINCIPAL LEGAL PRACTITIONER			
The Principal Legal Practitioner has over 15 years of post-article experience in the respective field.	5 = Excellent	40	Bidders must submit detailed CV's of the proposed Principal Legal Practitioner per category that specifically indicates the number of years (post-article) experience). Bidders must make use of the CV template provided as Annexure F.
The Principal Legal Practitioner has between 11 – 14 years of post-article experience in the respective field.	4 = Good		
The Principal Legal Practitioner has between 7 – 10 years of post-article experience in the respective field.	3 = Satisfactory		
The Principal Legal Practitioner has between 3 – 6 years of post-article experience in the respective field.	2 = Poor		
The Principal Legal Practitioner has less than 3 years of post-article experience in the respective field.	1=Not Acceptable		
PRINCIPAL LEGAL PRACTITIONER CLIENT TRACK RECORD			
The Principal Legal Practitioner has demonstrated a track record of working with over 10 clients.	5 = Excellent	30	Bidders must submit detailed CV's of the

The Principal Legal Practitioner has demonstrated a track record of working with 9 – 10 clients.	4 = Good		<p>proposed Principal Legal Practitioner per category that specifically indicates the Principal Legal Practitioner's major/key clients (current and/or past), together with an indication of the nature and duration of such attorney/client relationships.</p> <p>Bidders must make use of the CV template provided as Annexure F.</p>
The Principal Legal Practitioner has demonstrated a track record of working with 7 – 8 clients.	3 = Satisfactory		
The Principal Legal Practitioner has demonstrated a track record of working with 5 – 6 clients.	2 = Poor		
The Principal Legal Practitioner has demonstrated a track record of working with less than 5 clients.	1=Not Acceptable		
CLIENT REFERENCES (LEGAL FIRM/CONSULTANCY/PRINCIPAL LEGAL PRACTITIONER)			
3 references provided that meet all Criteria listed	5 = Excellent	10	<p>Bidders must provide references/testimonials from 3 current/recent (not older than 24 months) clients to whom legal services are/were provided in the respective field. The aforesaid references must be on the client's letterhead and the duration of such specific attorney/client relationship, a brief description of the legal services that are/were being provided by the Bidder to such client, as well as the level of client satisfaction.</p>
3 references provided, however not all listed Criteria is met	4 = Good		
2 references provided that meet all Criteria listed	3 = Satisfactory		
2 references provided, however not all listed Criteria is met	2 = Poor		
Less than 2 references provided	1=Not Acceptable		
MAXIMUM POINTS		100	
TECHNICAL THRESHOLD		70	

19 ANNEXURE E: TECHNICAL EVALUATION CRITERIA – CATEGORY E (GENERAL LEGAL ADVICE).

Bidders' technical proposals will be evaluated in accordance with the evaluation criteria below. Only Bidders who have met the threshold of 70% per respective category for technical evaluation will be appointed onto the Panel.

EVALUATION CRITERIA – CATEGORY E (GENERAL LEGAL ADVICE)			
Criteria	Scoring values	Weight (%)	Bidders must submit the following information/evidence
QUALIFICATIONS OF PRINCIPAL LEGAL PRACTITIONER			
Master's Degree or above (NQF 9+)	5 = Excellent	20	Copies of legal and professional qualifications of Principal Legal Practitioner as well as SAQA accreditation in the case of international qualifications.
Postgraduate Qualification (NQF 8)	4 = Good		
Degree/B-tech/National Diploma (NQF 7)	3 = Satisfactory		
Diploma Advanced Certificate (NQF 6)	2 = Poor		
Higher Certificate (NQF 5)	1=Not Acceptable		
YEARS OF POST ARTICLE EXPERIENCE OF PRINCIPAL LEGAL PRACTITIONER			
The Principal Legal Practitioner has over 15 years of post-article experience in the respective field.	5 = Excellent	40	Bidders must submit detailed CV's of the proposed Principal Legal Practitioner per category that specifically indicates the number of years (post-article) experience). Bidders must make use of the CV template provided as Annexure F.
The Principal Legal Practitioner has between 11 – 14 years of post-article experience in the respective field.	4 = Good		
The Principal Legal Practitioner has between 7 – 10 years of post-article experience in the respective field.	3 = Satisfactory		
The Principal Legal Practitioner has between 3 – 6 years of post-article experience in the respective field.	2 = Poor		
The Principal Legal Practitioner has less than 3 years of post-article experience in the respective field.	1=Not Acceptable		
PRINCIPAL LEGAL PRACTITIONER CLIENT TRACK RECORD			
The Principal Legal Practitioner has demonstrated a track record of working with over 10 clients.	5 = Excellent	30	Bidders must submit detailed CV's of the

The Principal Legal Practitioner has demonstrated a track record of working with 9 – 10 clients.	4 = Good		proposed Principal Legal Practitioner per category that specifically indicates the Principal Legal Practitioner's major/key clients (current and/or past), together with an indication of the nature and duration of such attorney/client relationships. Bidders must make use of the CV template provided as Annexure F.
The Principal Legal Practitioner has demonstrated a track record of working with 7 – 8 clients.	3 = Satisfactory		
The Principal Legal Practitioner has demonstrated a track record of working with 5 – 6 clients.	2 = Poor		
The Principal Legal Practitioner has demonstrated a track record of working with less than 5 clients.	1=Not Acceptable		
CLIENT REFERENCES (LEGAL FIRM/CONSULTANCY/PRINCIPAL LEGAL PRACTITIONER)			
3 references provided that meet all Criteria listed	5 = Excellent	10	Bidders must provide references/testimonials from 3 current/recent (not older than 24 months) clients to whom legal services are/were provided in the respective field. The aforesaid references must be on the client's letterhead and the duration of such specific attorney/client relationship, a brief description of the legal services that are/were being provided by the Bidder to such client, as well as the level of client satisfaction.
3 references provided, however not all listed Criteria is met	4 = Good		
2 references provided that meet all Criteria listed	3 = Satisfactory		
2 references provided, however not all listed Criteria is met	2 = Poor		
Less than 2 references provided	1=Not Acceptable		
MAXIMUM POINTS		100	
TECHNICAL THRESHOLD		70	

20 ANNEXURE F: CV / INFORMATION TEMPLATE FOR BATCH 5: LEGAL SERVICES

The template contains three sections. Contact details must be provided in Section 1, Section 2 focuses on the qualifications and experience of the Principal Legal Practitioner while Section 3 requests information on the client track record of the Principal Legal Practitioner.

Bidders must clearly indicate the selected category(ies) below:

(Clearly mark with an X to indicate selection. The name of the proposed Lead Advisor per category must be clearly indicated)

Bidders must replicate this CV template for each service category selected.

Categories	Indicate Category Selection (X)	Name of proposed Principal Legal Practitioner
Legal Services		
Category A - Commercial Law and Company Law		
Category B - Constitutional Law; Administrative Law and Public Procurement Law		
Category C - Labour and Employment Law		
Category D - Litigation and Arbitration		
Category E - General Legal Advice		

Section 1: Contact details

Company details

To be filled in by Organisations / Entities

Business Name	
Business Address	
Phone	
Email	

Personal Information, Contact details and Signature of Individual or Principal / Lead advisor

To be filled in by Individuals and Organisations / Entities

Personal Information	
Surname	
First names	
Identity Number	
Gender	
Nationality	
Contact details	
Telephone number (land line)	
Cell Number	
Email Address	
Signature	

Section 2: Qualifications and experience of Principal Legal Practitioner

A1. Qualifications: *(Copies of each qualification to be included in the pack) (Add entries if needed. Start from the most recent)*

Qualification Awarded (specify major subjects)	
Name of Institution	
Date awarded	
Qualification Awarded (specify major subjects)	
Name of Institution	
Date awarded	
Qualification Awarded (specify major subjects)	
Name of Institution	
Date awarded	
Qualification Awarded (specify major subjects)	

Name of Institution	
Date awarded	

Experience of Principal Legal Practitioner:

A2: Post Article Experience of Principal Legal Practitioner

List projects that demonstrate your post article experience in the respective category.

Name of Client /Employer (current or past)	
Duration of relationship (Date [<i>from – to</i>])	
Description of relevant experience (120 words)	

Section 3: Principal Legal Practitioner Client Track Record

B1: Principal Legal Practitioner Client Track Record

Name of Client (current or past)	
Duration of relationship (Date [<i>from – to</i>])	
Description of relevant services rendered (120 words)	