



ANNEXURE A

TERMS OF REFERENCE

**APPOINTMENT OF A REPUTABLE SERVICE PROVIDER TO PROVIDE ONLINE LEGAL RESEARCH PORTAL
FOR A PERIOD OF THIRTY-SIX MONTHS (NRCS 001/2025/2026)**

CLOSING DATE: 16 SEPTEMBER 2025 @ 11:00

Enquiry: Teboho Aphane
Telephone: 012 482 8720
E-mail: Teboho.aphane@nrcs.org.za

ANNEXURE A

1 TERMS OF REFERENCE / SPECIFICATIONS

BACKGROUND

The National Regulator for Compulsory Specification (NRCS) was established on the 1st of September 2008, under the auspices of the National Regulator for Compulsory Specifications Act, 2008 (Act 5 of 2008) hereinafter called the NRCS Act.

The NRCS is primarily responsible for the administration of three Acts that reside under its jurisdiction, namely the NRCS Act, the Legal Metrology Act, 2014 (Act 9 of 2014) hereinafter called the LM Act, and the National Building Regulations and Building Standards Act, 1977 (Act 103 of 1977) hereinafter NBR Act. The NRCS also administers regulations that fall under the jurisdiction of other governments departments, as per agreements.

2. PURPOSE

The NRCS is seeking a service provider who will provide current legal information i.e. case law, law journals etc. legal opinion and related matters.

3. SCOPE OF WORK

3.1 An online legal research portal that covers areas not limited to the following:

- 3.1.1 Administrative Law;
- 3.1.2 Administration of Estates;
- 3.1.3 Law of Arbitration;
- 3.1.4 Bill of Rights;
- 3.1.5 Customs and Excise;
- 3.1.6 Civil Procedure (With Commentary);
- 3.1.7 Comparative Law;
- 3.1.8 Competition Law;
- 3.1.9 Criminal Law and Procedure (With Commentary);
- 3.1.10 Constitutional Law;
- 3.1.11 Consumer Protection Law;
- 3.1.12 Contract Law;
- 3.1.13 Company Law;
- 3.1.14 Criminal Law;
- 3.1.15 Customary Law;
- 3.1.16 Law of Delict;
- 3.1.17 Law of Damages;
- 3.1.18 Energy Law;
- 3.1.19 Enrichment Law;
- 3.1.20 Environmental Law;
- 3.1.21 Law of Evidence;
- 3.1.22 Family Law;
- 3.1.23 Government Gazettes;
- 3.1.24 Governance, Risk and Compliance;

- 3.1.25 Information, communications and technology Law;
- 3.1.26 Insurance Law;
- 3.1.27 Intellectual Property Law;
- 3.1.28 International Law;
- 3.1.29 Interpretation of Statute;
- 3.1.30 Jurisprudence; Judgments (Reported and Unreported);
- 3.1.31 Labour Law;
- 3.1.32 Law Reports;
- 3.1.33 Legal Interpretation;
- 3.1.34 Legislation (National and Regional);
- 3.1.35 Maritime Law and Motor Vehicle Law;
- 3.1.36 Negotiable Instruments Law;
- 3.1.37 Occupational Health and Safety;
- 3.1.38 Precedents;
- 3.1.39 Property Law;
- 3.1.40 Procurement Law;
- 3.1.41 Pleadings;
- 3.1.42 Statutes and Regulations;
- 3.1.43 Investigation Techniques;
- 3.1.44 Insolvency Law;
- 3.1.45 Different law journals, commentary law reports, and textbooks.
- 3.1.46 Protection of personal information law and general data protection regulation (Different law journals, commentary law reports, Case laws and textbooks).

3.2 Once the successful bidder has been appointed the relevant system and access support must be provided to the NRCS.

4. Bidders are expected to indicate to the NRCS which laws they will be providing as per the table below:

AVAILABILITY OF LEGISLATION AND MATERIALS	AVAILABLE TICK YES/NO	COMMENTS
1. Administrative Law		
2. Administration of Estates		
3. Law of Arbitration		
4. Consumer Protection Law		
5. Customs and Excise		
6. Civil Procedure (With Commentary)		
7. Comparative Law		
8. Competition Law		
9. Criminal Law and Procedure (With Commentary)		
10. Constitutional law and Bill of Rights		
11. Contract Law		
12. Company Law		

13. Customary Law		
14. Family Law		
15. Law of damages		
16. Law of Delict		
17. Energy Law		
18. Enrichment Law		
19. Environmental Law		
20. Law of Evidence		
21. Government Gazettes		
22. Governance, Risk and Compliance		
23. Information, communications and technology Law		
24. Insurance Law		
25. Intellectual Property Law		
26. International Law		
27. Jurisprudence; Judgments (Reported and Unreported)		
28. Labour Law		
29. Law Reports		
30. Legal Interpretation		
31. Legislation (National and Regional)		
32. Maritime Law and Motor Vehicle Law		
33. Negotiable Instruments		
34. Occupational Health and Safety		
35. Precedents		
36 Procurement Law		
37. Property Law		
38. Pleadings		
39. Statutes and Regulations		
40. Investigation Techniques		
41. Insolvency Law		
42. Different law journals, commentary law reports, and textbooks.		

43. Interpretation of Statute		
44. Protection of personal information law and general data protection regulation (Different law journals, commentary law reports, Case laws and textbooks).		

Note: Bidders are expected to offer the NRCS at least 85% of the laws required (listed above) to be considered for the functionality criterion below. Bidders that can't offer a minimum of 85% for the laws required will be disqualified.

5. DURATION OF THE PROJECT

The duration of the project is 36 (Thirty-six) months from date of appointment and subject to the Service Level Agreement being concluded and agreed by both Parties at least one month of the bid being awarded, failing which the NRCS reserves the right to cancel the contract. The successful bidder will be required to enter into formal contract with the National Regulator for Compulsory Specifications.

6. SPECIAL CONDITION OF TENDER

- 6.1 The bidder may not cede or assign any part of its agreement with the NRCS nor subcontract any part of the assignment assigned to them without the prior written authorization of the NRCS.
- 6.2 The NRCS may prescribe specifications to fit in with the operational requirements.
- 6.3 The NRCS reserves the right to impose penalties in cases where the service provider fails to perform the services.
- 6.4 A schedule of all related parties must be disclosed in the bid document.
- 6.5 The NRCS may disqualify a Bidder whose proposal contains a misrepresentation which is materially incorrect or misrepresentation.
- 6.6 In awarding the preferred bidder the NRCS is going to consider price, functionality and the results of the negotiation process.
- 6.7 The General Conditions of Contract (GCC) must be signed or initial on each page by the bidder as included in the bid document.
- 6.8 The NRCS will not award the bid to any prospective bidder who has not registered on the Central Database Supplier (CSD) as regulated until they are registered on the CSD.
- 6.9 The NRCS reserves the right not to accept any bids, which does not comply with the specifications and conditions set out in the bid documents.
- 6.10 The NRCS reserves the right to contact the contactable references provided in this bid.
- 6.11 The NRCS reserves to negotiate the contract price in line with the prevail market prices.

7. Procurement policies and procedure

7.1 The general conditions of tender, contract and order will be applicable to this tender.

7.2 The NRCS reserves the right to award the bid in full or part.

8. MINIMUM REQUIREMENTS

- a. The prospective bidder must be registered on Central Supplier Database (CSD) prior to submitting bids
- b. The following key information will be accessed and verified on CSD, namely:
 - i. Business registration, including details of directorship and membership.
 - ii. Tax compliance status
- c. Completed SBD forms 1, 3.1, 4, 6.1
- d. Late Submissions will not be accepted
- e. **Bidders are expected to offer the NRCS at least 85% of the laws required (listed above) to be considered for the functionality criterion below. Bidders that can't offer a minimum of 85% for the laws required will be disqualified.**

9. EVALUATION CRITERIA (FUNCTIONALITY)

For the purpose of comparison and in order to ensure a meaningful evaluation, bidders must submit detailed information in substantiation of compliance to the evaluation criteria mentioned (e.g. details of relevant previous work undertaken, letters from previous /current clients, etc.)

Minimum Required Score for functionality is: **60 points** out of 100 points and any bidder scoring less than **60 points** will not be considered for further evaluation.

NO	FUNCTIONALITY CRITERIA	SCORE	WEIGHT
1	Years of Experience in the provision of online legal publications. Profile of the Company must be attached	≤17 and above experience = 5 points ≤11 – 17 years' experience = 4 points ≤5 – 11 years' experience = 3 points ≤3 - 5 years' experience = 2 points ≤2 - 3 years' experience = 1 point	50
2	The bidder will be required to provide a demonstration on the proposed solution and turn-around times in responding to queries as submitted by the NRCS.	Emergency call within 2 hours = 5 points Major call within 4 hours = 4 points Standard call within 8 hours = 3 Points Standard call within 10 hours = 2 points Standard call within 24 hours = 1 point	20
3	Company and Project Team Experience The bidder will be evaluated on their experience in providing Online Legal Library Services as well as the experience of the project team in providing support and training of the solution. The technical support should include but not limited to adding/remove the names of users, offering training at no extra cost to new users and online real-time support,	Key personnel have ≤8 years' experience in providing support and training based on their CV's/Profiles attached = 5 points. Key personnel have ≤6 - 8 years' experience in providing support and	30

		<p>training based on their CV's/Profiles attached = 4 points.</p> <p>Key personnel have ≤ 4 - 6 years' experience in providing support and training based on their CV's/Profiles attached = 3 points.</p> <p>Key personnel have ≤ 2 - 4 years' experience in providing support and training based on their CV's/Profiles attached = 2 points</p> <p>Key personnel have ≤ 1 - 2 years' experience in providing support and training based on their CV's/Profiles attached = 1 point</p>	
TOTAL			100
Minimum Threshold			60

A bidder/s that score less than **60** points out of 100 in respect of functionality will be regarded as submitting a non-responsive bid and will be disqualified.

A bidder/s, who meet that, then qualify in terms of the functionality cut-off points of **60 points** will then be evaluated in terms of price and preference points. Bidder/s that meets the minimum required percentage or minimum points, will be evaluated in terms of price and preference as per the PPPFA Act, No.5 of 2000 and its associated Regulations issued by the National Treasury.

Bid will be evaluated on the basis of the PPPFA 80/20-point system as presented in the Preferential Procurement Regulations 2022, for this purpose SBD 6.1 form should be scrutinized, completed and submitted together with your quotation. The 80/20-point system will be as follows:

	POINTS
PRICE	80
SPECIFIC GOALS	
B-BBEE Level 1	20
B-BBEE Level 2	18
B-BBEE Level 3	14
B-BBEE Level 4	12
B-BBEE Level 5	8
B-BBEE Level 6	6
B-BBEE Level 7	4
B-BBEE Level 8	2
Non-compliant contributor	0
Total points for Price and SPECIFIC GOALS	100

10. PACKAGING OF BID

The bidder shall place the Bid Proposal envelopes into an outer envelope or package, and must be clearly marked as follows:

Bid No. (NRCS 001-2025/2026)

Description: Appointment of a reputable service provider to provide online legal Research portal for a period of 36 (thirty-six months)-

(NRCS 001-2025/2026)

Bid closing date and time: **16 SEPTEMBER 2025 at 11H00 (Submission of late bids will not be accepted)**

Name and address of the bidder: _____

NB: The bid proposal envelope shall contain one original hard copy document, clearly marked “original”, and three (3) hard copies, clearly marked “Copy” (i.e. three documents to be included in each envelope. A soft copy be submitted as well either by memory stick.

Bidders can courier the bid proposal, the onus is on the bidder to ensure that their bid proposal is received by the due date and time by the NRCS.

11. BID DOCUMENT CHECKLIST

A completed and signed bid document must be submitted in a file. The bid/tender documentation must be placed into a file with dividers between every schedule. The schedule must be numbered as follows:

Item	Description	Submitted (Yes/No)
Schedule 1	All documents for minimum requirements	
Schedule 2	The Functionality criteria documentation	
Schedule 3	Certified ID copies of the directors / trustees / shareholders and their shareholding percentages	
Schedule 4	Original and valid B-BBEE status levels verification certificate or a certified copy thereof, substantiating your B-BBEE rating	