



NATIONAL YOUTH DEVELOPMENT AGENCY
OUR YOUTH. OUR FUTURE.

**Appointment of a Panel of Legal Practitioners for the provision of legal services to the NYDA for a period of Three (3) years
Submission Tender Number:**

RFP2023/32/NYDA



AGENDA

TERMS OF REFERENCE

1

OBJECTIVES, CONDITIONS AND REQUIREMENTS OF THE TENDER PROCEDURES

2

THREE STAGE EVALUATION PROCESS

3

QUESTIONS

4

1 TERMS OF REFERENCE

TERMS OF REFERENCE THE APPOINTMENT OF A PANEL OF LEGAL PRACTITIONERS FOR THE PROVISION OF LEGAL SERVICES FOR A PERIOD OF 3 YEARS

1. PURPOSE AND OBJECTIVES OF THIS SUBMISSION

This document sets out terms of reference for the appointment of a panel of Legal Practitioners for the provision of legal services for a period of three years.

2. BACKGROUND

2.1 The NYDA intends to appoint a panel of legal firms nationally .

2.2 The law firms should provide legal services in the practice areas where they have capacity and presence.

2.3 Please note that the appointment of a Bidder on the NYDA panel of Legal Practitioners is not intended and may not be interpreted or deemed to guarantee or create an expectation that the NYDA will indeed appoint or require the Bidder to render any of the services in the scope of work.

3. PURPOSE AND OBJECTIVES OF THIS TENDER

3.1. This tender seeks to afford the suitably qualified bidder(s) in each province an opportunity to be selected as part of NYDA panel of legal practitioners for the provision of a broad spectrum of legal services as contained 4.1 below, on “as when needed basis”.

3.2. The law firm in each province must be in practice for a minimum period of thirty-six (36) months.

TERMS OF REFERENCE CONTINUE.....

3.3. The NYDA endeavours to resolve cases as expeditiously and economically as possible without jeopardising its position on legal issues of significance.

3.4. When the appointed bidder is handling litigation for the NYDA, it shall be required to make efforts, both at an early stage and on a continuing basis, to identify cases to be settled and to propose a suitable approach to settle. The appointed law firm shall also seek to handle the assigned cases more effectively and expeditiously.

3.5. The NYDA supports the use of mediation, arbitration and other means of alternative dispute resolution (where appropriate) and the law firm shall seek to identify cases appropriate for resolution by such means.

TERMS OF REFERENCE CONTINUES.....

4. SCOPE OF WORK

- **4.1** Without limitation, bidders will be required to render legal services to NYDA Legal Department and its internal clients on a wide range of issues pertaining to, *inter alia* the following practice areas:
 - 4.1.1** **Administrative Law and constitutional law**
 - 4.1.2** **Corporate, Commercial and Law of Contract**
 - 4.1.3** **Debt Recovery;**
 - 4.1.4** **Information and Communication Technology Law;**
 - 4.1.5** **Intellectual Property;**
 - 4.1.7** **Litigation;**
 - 4.1.8** **Procurement Law;**
 - 4.1.9** **Criminal Law;**

Terms of Reference Continues.....

5. NB. The bidders must indicate practice area/s they are bidding for:
Table 5.1 of the tender document.

2. OBJECTIVES, CONDITIONS AND REQUIREMENTS OF THE TENDER PROCEDURES

8.1 One original hardcopy version must be the original submission, and a softcopy/electronic version in PDF-Format digital copied versions of the original in a USB.

8.2 Bidders should take particular care to ensure that there are no discrepancies between all submissions to the NYDA. NYDA reserves the right to reject any tenders if there are discrepancies.

8.3 Each individual envelope must be clearly marked with the following information:

Description of the Submission:

-Appointment of a Panel of Legal Practitioners for the provision of legal services to the NYDA for a period of Three (3) years Submission Tender Number: RFP2023/32/NYDA

8.4 Submissions that are faxed, sent via telex, and/ or electronic mail delivery will not be accepted.

8.5 All submissions received by NYDA will become the property of the NYDA and will not be returned to the respondent.

8.6 The submissions must be inserted into the TENDER BOX available at the Reception Area of NYDA Head Office, Tsietsi Mashinini House, 54 Maxwell Drive Woodmead, Johannesburg. Woodmead North Office Park, Block A, NYDA Building between 08h00 am and 17h00 pm weekdays.

8.7 Unsuccessful submissions will be informed in writing when the process is concluded.

8.8 A submission will be considered late if received after the specified date and time. Respondents are therefore strongly advised to ensure that submissions are despatched allowing enough time for any unforeseen events that delay the delivery of the submission.

2. OBJECTIVES, CONDITIONS AND REQUIREMENTS OF THE TENDER PROCEDURE CONTINUES.....

- A submission of **one original hardcopy version** must be the original submission, clearly marked "**Original**" and a softcopy/electronic version in PDF-Format digital copied versions of the original (Flash-drive/USB/Memory Stick)
- The original and a copy must contain the same information and must be clearly marked and professionally presented.
- Bids should be submitted in a sealed envelope, marked with:
- Bid number: RFP2023/32/NYDA
- Bid Description: **Appointment of a Panel of Legal Practitioners for the provision of legal services to the NYDA for a period of Three (3) years Submission Tender Number: RFP2023/32/NYDA**
- The name and address of the bidder
- Bids must be submitted on or before **11 am on 13 May 2024**.
- **Bids which are submitted after the closing date and time will not be accepted.**
- Bidder's representative are encouraged to share the information with the person who will be compiling the bid document to ensure that the requirements of the tender are understood.

3. FOUR (4) STAGE EVALUATION PROCESS:

Mandatory criteria (stage one)

During the administrative/ eligibility assessment, failure to provide any mandatory information as requested on page 22 will result in the proposal being deemed non-responsive.

Functionality Criteria (Stage two)

- Corporate office space (Max 20 points)
- No extra points will be allocated for proposed office space above 4500sqm. Excess office space will be deemed to be provided for free and must not be included in the price schedule.
- Proof of ownership (title deed or signed letter from the municipality with property details).
- Where an estate agent is bidding, the proof of ownership must be supported by the traceable letter from the landlord granting the estate agent permission to bid.
- Company experience (Max 20 points)
- Positive testimonial letters from current or previous tenants, dated within the past 10 years.
- (4 letters to obtain full points)
- Methodology and approach (Max 60 Points)
- The general maintenance or mitigation plan of the proposed corporate office space as per 2.8(Max 30 points)
- Please note that the Form of Evidence for Head Office tender documents refers to “Methodology and approach detailing the general maintenance or mitigation plan as indicated on item 2.7 of the scope of work.”. The items referred to are on 2.8 and not 2.7
- The full professional team as per 2.5 above (Max 20 points)

NB: Bidders who fail to obtain a minimum threshold on functionality of 65% will be disqualified from Further Evaluation

3. FOUR (3) STAGE EVALUATION PROCESS CONTINUES.....

•SUBMISSION EVALUATION/ADJUDICATION

- The tender will be evaluated in Three (3) phases:
 - 10.1 Compliance/eligibility; page 16
 - 10.2 Technical/Functionality;
 - 10.3 Pricing and Specific goals

NB: Bidder must comply with the price instruction as indicated on page 23

Bidders should not the following correction on the tender document:

1. The tender is evaluated on the 3 stages

- Compliance
- Technical
- Price and Specific goals

2.The bidder should also not the price schedule is on clause 13, not table 12.

3. Rates for services rendered under this panel of legal services shall be negotiated with all successful bidders, with the intention of achieving standard rates across all parties



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**THANK YOU,
QUESTIONS/ CLARITY/ COMMENTS**

