



LIMPOPO LEGISLATURE

It's your voice, use it!

INVITATION TO BID

PANEL OF SERVICE PROVIDERS FOR LEGAL SERVICES FOR A PERIOD OF 36 (THIRTY-SIX) MONTHS

BID NO: **LPL LS 09/2025**

CLOSING DATE: **16 FEBRUARY 2026** **TIME:** **11:00 AM**





INVITATION TO BID (SBD1)

Section 1

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE LIMPOPO PROVINCIAL LEGISLATURE (LIMPOPO LEGISLATURE)

BID NUMBER:	LPL LS 09/2025	CLOSING DATE:	16 FEBRUARY 2026	CLOSING TIME:	11H00 AM
DESCRIPTION	PANEL OF SERVICE PROVIDERS FOR LEGAL SERVICES FOR A PERIOD OF 36(THIRTY-SIX) MONTHS				

BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)

THE ENTRANCE OF LIMPOPO LEGISLATURE AT LEBOWAKGOMO GOVERNMENT COMPLEX WHICH IS OPEN FOR 24 HOURS, 7 DAYS A WEEK

BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO		TECHNICAL ENQUIRIES MAY BE DIRECTED TO:	
CONTACT PERSON	Ms ALUCIA TALANE	CONTACT PERSON	Mr Khotsa S
TELEPHONE NUMBER	066 519 5499	TELEPHONE NUMBER	082 413 3039
FACSIMILE NUMBER	N/A	FACSIMILE NUMBER	N/A
E-MAIL ADDRESS	talanea@limpopoleg.gov.za	E-MAIL ADDRESS	khotsas@limpopoleg.gov.za

PLEASE NOTE THAT ALL ENQUIRIES SHOULD BE IN WRITING. NO TELEPHONIC ENQUIRIES WILL BE ATTENDED TO. E-MAILS SHOULD BE FORWARDED TO BOTH Ms TALANE AND Mr KHOTSA FOR WRITTEN RESPONSES

SUPPLIER INFORMATION

NAME OF BIDDER				
POSTAL ADDRESS				
STREET ADDRESS				
TELEPHONE NUMBER	CODE		NUMBER	
CELLPHONE NUMBER				
FACSIMILE NUMBER	CODE		NUMBER	
E-MAIL ADDRESS				
VAT REGISTRATION NUMBER				
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		OR	CENTRAL SUPPLIER DATABASE No: MAAA
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE	TICK APPLICABLE BOX]	B-BBEE STATUS LEVEL SWORN AFFIDAVIT		[TICK APPLICABLE BOX]
	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Yes <input type="checkbox"/> No

[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]

ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSURE PROOF]	ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ANSWER THE QUESTIONNAIRE BELOW]
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QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS

IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?

YES NO

DOES THE ENTITY HAVE A BRANCH IN THE RSA?

YES NO

DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?

YES NO

DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?
IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?

YES NO
 YES NO

IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 BELOW.

PART B

TERMS AND CONDITIONS FOR BIDDING

1. BID SUBMISSION:

- 1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
- 1.2. ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED – (NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.
- 1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2022, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.
- 1.4. THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7)
- 1.5. THE LIMPOPO LEGISLATURE IS A NATIONAL KEY POINT AS PER THE NATIONAL KEY POINT ACT, 102 OF 1980, THEREFORE, POTENTIAL SERVICE PROVIDERS SHALL BE SUBJECT TO A SECURITY SCREENING PRIOR APPOINTMENT

2. TAX COMPLIANCE REQUIREMENTS

- 2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
- 2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VERIFY THE TAXPAYER'S PROFILE AND TAX STATUS.
- 2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.
- 2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
- 2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
- 2.6 WHERE NO TCS PIN IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.

NB: FAILURE TO PROVIDE / OR COMPLY WITH ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.

SIGNATURE OF BIDDER:

CAPACITY UNDER WHICH THIS BID IS SIGNED:

(Proof of authority must be submitted e.g. company resolution)

DATE:



(Declaration of Attendance)

Section 2

BID NUMBER: LPL LS 09/2025

BID DESCRIPTION: PANEL OF SERVICE PROVIDERS FOR LEGAL SERVICES FOR A PERIOD OF 36
(THIRTY-SIX)MONTHS

BID CLOSING DATE: 16 FEBRUARY 2026 CLOSING TIME: 11H00am

BRIEFING SESSION: NO

Applicable: NO

Compulsory: NO

Venue: N/A

Date: N/A Time: 10H00

I/We hereby declare that I/we attended the compulsory briefing session to understand the requirements of the Limpopo legislature to supply all or any of the supplies and/or to render all or any of the services described in the attached bid documents, on the terms and conditions and in accordance with the specifications stipulated in the bid documents.

I, THE UNDERSIGNED (NAME).....

CERTIFY THAT THE INFORMATION FURNISHED AT THE SITE INSPECTION WAS UNDERSTOOD.

SIGNATURE OF BIDDER OR ASSIGNEE(S)

.....

DATE:

Position

Name Bidder

Name of Company

SIGNATURE OF LIMPOPO LEGISLATURE OFFICIAL

DATE:

3.1 DOCUMENTS

- 3.1.1. Specify name, position, address and other contact details (e-mail, telephone, and fax) of the person within the service provider organisation responsible for leading the bid process and to whom all correspondence should be directed.
- 3.1.2. The bid shall be signed by a relevant company or close cooperation (CC) representative who has the relevant authority to sign legal and binding contracts on behalf of the company or CC.
- 3.1.3. If any part of this bid is not duly filled in and signed in ink it may invalidate the bid.
- 3.1.4. Where alterations have been made to any part of the bid, the bidder must sign next to (Correction ink/Tippex is not allowed).
- 3.1.5. All bids must be submitted on the official forms (not to be re-typed or altered). The bidder must initial all the pages of this bid to acknowledge acceptance of understanding. The signed bid must be returned with the proposal.
- 3.1.6. The bidder must certify that the personnel identified in its response to this bid will be the persons assigned to Limpopo legislature. Any changes in the personnel from those identified in the response to the Bid must be approved by Limpopo legislature. Limpopo legislature may, at its discretion, require the removal and replacement of any of the bidder's personnel who do not perform adequately.

3.2 SUBMISSION OF BID PROPOSAL

- 3.2.1. This bid must be submitted in accordance with the format, times and place as prescribed in the bid document.
- 3.2.2. All responses must conform to instructions. Failure to provide relevant information, signatures or any other requirements of this bid will be considered appropriate cause for rejection of the response and will result in instant disqualification.
- 3.2.3. Proposals must be submitted with the sections and/or subsections clearly marked. All pages must be numbered consecutively.
- 3.2.4. No faxed or e-mailed copies will be accepted.

3.3 BID RESPONSES

- 3.3.1. Bidders' responses must be laid out in the format prescribed in this section.
- 3.3.2. Sections must be clearly labelled as follows:

3.3.2.1 Service Provider Contact Details

- Specify name, position, address and other contact details (e-mail, telephone, and fax) of the person within the bidding organisation responsible for leading the bid process and to whom all correspondence should be directed.
- Who, within the service provider's organisation, will be authorised to conduct the contract negotiations and sign the eventual contract?

3.3.2.2 Service Provider Profile

- Bidder's name and address
- Company / organisation structure
- Commencement date of business
- Certificate of Incorporation

3.3.2.3 Pricing Structure

- Prices must be quoted in South African currency and must be inclusive of Value Added Tax (VAT).
- Bidders are further requested to indicate their price in all elements listed on the pricing schedule below.
- Pricing on the pricing schedule is for comparative purposes.
- Prices must remain fixed for the duration of the contract. The pricing schedule must be completed.
- The total costs must be inclusive of all costs such as delivery, labour rates,
- Transfer of skills etc.

3.3.3 Quantity of Bids to be Submitted

3.3.3.1 Every prospective bidder must submit one (1) Bid proposal and (1) USB with the copy of the Bid proposal in PDF format.

3.3.3.2 This Bid document, proposal and all other relevant documentation requested must be submitted in one sealed envelope or sealed box. (except for Financial proposal and all references where bidders' costs are displayed in this document, please put this in a separate envelope)

Bids must be clearly marked **on the front** as follows: **Bid No: LPL LS 09/2025**

Bids must be clearly marked **on the back** as follows:

- **Bidders Name & Bidders Address**
- **Bidders Contact Numbers**

Bid documents may be couriered by registered mail or deposited in the tender box situated at:

**LIMPOPO LEGISLATURE
LEBOWAKGOMO GOVERNMENT COMPLEX**

3.4 ACCESSIBILITY OF THE TENDER/BID BOX

3.4.1 The Bid box can be accessed for twenty-four (24 hours). Monday to Friday (including Weekends and Public Holidays), at, **THE ENTRANCE OF THE LIMPOPO LEGISLATURE AT LEBOWAKGOMO GOVERNMENT COMPLEX**

3.4.2 Bidders must ensure that bids are delivered in a timely manner and to the correct address. If the bid is late, it will not be accepted for consideration. Bidders must allow sufficient time to access the tender box in the Limpopo legislature through the visitor's entrance and other security checkpoints.

3.5 TIME FRAMES

3.5.1 Bidders are advised that Limpopo legislature reserves the right to change any of the dates indicated in the bid document.

3.6 OWNERSHIP OF PROPOSALS

3.6.1 All proposals in response to this bid, whether successful or unsuccessful, will become the property of Limpopo Legislature.

3.6.2 Any costs incurred by the service providers in preparing and submitting their response will be the sole responsibility of the service provider.

3.7 BID VALIDITY PERIOD

3.7.1 This bid and all proposals (costs included) shall remain binding and valid for a period of ninety (90) days calculated from the closing date of the Bid. Limpopo legislature reserves the right to notify bidders in writing to extend the above validity period for another sixty (60) days if deemed in the interest of Limpopo legislature. Any additional extension after the above days, Limpopo legislature will request approval from bidders.

3.8 JOINT VENTURES OR CONSORTIUM

3.8.1 A Copy of the Trust, Consortium or Joint Venture agreement, duly signed must be attached.

3.8.2 Ensure one responsible lead Bidder in the case of a consortium or joint venture.

3.8.3 A trust, consortium or joint venture will qualify for points for their B-BBEE status level as a legal entity, provided that the entity submits their consolidated B-BBEE status level certificate.

3.9 DISCOUNTS

3.9.1 When calculating comparative prices, Limpopo legislature will consider any discounts which have been offered unconditionally.

3.9.2 A discount which has been offered conditionally will be implemented when payment is effected despite not being taken into account for evaluation purposes.

3.10 GENERAL REQUIREMENTS

- 3.10.1 Prospective bidders may submit their questions to talanea@Limpopoleg.gov.za or contact the person assigned to deal with enquiries on the advertisement for this bid.
- 3.10.2 Any costs incurred by the bidders in preparing and submitting their response to the Request for Bids (RFB) will be the sole responsibility of the bidder.
- 3.10.3 Limpopo legislature may request bidders to provide additional pricing information to be utilised for comparative purposes during evaluations.
- 3.10.4 Limpopo legislature reserves the right to invite short-listed bidders to make a presentation to Limpopo legislature's bids evaluation committee to further clarity or substantiate their submissions.
- 3.10.5 Limpopo legislature reserves the right not to award this bid in total, or part thereof.
- 3.10.6 Limpopo legislature reserves the right to re-appoint or extend the service of the service provider where there is a natural continuation of assignments.
- 3.10.7 The successful bidder/s will enter into a stipulated contract with Limpopo legislature for the provision of the required service.
- 3.10.8 The successful bidders, their employees and their sub-contractors must comply with Limpopo legislature security clearance.
- 3.10.9 The successful bidders must be willing to sign confidentiality or non-disclosure agreement.
- 3.10.10 All items supplied by the successful bidder/s must meet the minimum approved requirements of the South African National Standards.
- 3.10.11 All items supplied by the successful bidder/s must be manufacturer guaranteed.
- 3.10.12 All relevant clearances and/or memberships must be submitted to Limpopo legislature upon the renewal throughout the duration of the contract.
- 3.10.13 In the event where the order was wrongly printed, the service provider must be able to exchange goods or cancel the order as per the Limpopo legislature's request.

3.11 CENTRAL SUPPLIER DATABASE REQUIREMENTS

- 3.11.1 This bid is subject to the preferential procurement policy framework act and the preferential procurement regulations, 2022, financial management of parliament and provincial legislature act and the financial management of parliament and provincial legislature regulations, 2015, the general conditions of contract (GCC) and, if applicable, any other special conditions of contract (SCC).
- 3.11.2 Limpopo legislature cannot award contracts to provide goods and/or services to a Member of Limpopo legislature or Cabinet, a Member of a Provincial Legislature or Member of a Provincial Executive Council, a municipal councillor, a person in the employ of the state/government whose participation in bidding for the contract may result in a conflict of interest, or any entity in which any of the mentioned persons is a Director or has controlling or other substantial interest.

3.12 VISITS / MEETINGS / INSPECTION

- 3.12.1 A part of the adjudication process Limpopo legislature may request certain providers to organize a visit to an existing facility under the management of the service provider to gain an understanding of the provider's service standards.
- 3.12.2 Limpopo legislature may require presentations or meetings with bidders, at the cost of bidders, as part of the evaluation process to provide further information, submission of substantiating documentation or clarification to Limpopo legislature as deemed necessary.

3.12 AWARD OF BID

- 3.13.1 The award of this Bid by the Secretary to Limpopo legislature shall constitute a binding contract, and such acceptance by a letter or e-mail message.
- 3.13.2 The Secretary to Limpopo legislature may award this Bid to more than one successful Bidder, either in full or in part.
- 3.13.3 Limpopo legislature reserves the right not to award this contract.
- 3.13.4 Service Level Agreements will be concluded with the successful service provider.

3.13 SUBCONTRACTING

- 3.14.1 A bidder shall not be awarded the points claimed for B-BBEE status level of contribution if it is indicated in the bid documents that such a bidder intends subcontracting more than 25% of the contract value to any other enterprise that does not qualify for at least the same number of points that the bidder qualifies for, unless the intended sub-contractor is an EME that has the capability and ability to execute the sub-contract.
- 3.14.2 A contractor is not allowed to sub-contract more than 25% of the contract value to another enterprise that does not have equal or higher B-BBEE status level, unless the intended sub-contractor is an EME that has the capability and ability to execute the sub-contract.
- 3.14.3 In relation to a designated sector, a contractor must not be allowed to subcontract in such a manner that the local production and content of the overall value of the contract is reduced to below the stipulated minimum threshold.

3.14 SUBCONTRACTING AFTER AWARD OF TENDER

- 3.15.1 A person awarded a contract may only enter into a subcontracting arrangement with the approval of the organ of state.
- 3.15.2 A person awarded a contract in relation to a designated sector, may not subcontract in such a manner that the local production and content of the overall value of the contract is reduced to below the stipulated minimum threshold.
- 3.15.3 A person awarded a contract may not subcontract more than 25% of the value of the contract to any other enterprise that does not have an equal or higher B-BBEE status level of contributor than the person concerned, unless the contract is subcontracted to an EME that has the capability and ability to execute the subcontract.

3.15 FRONTING

- 3.16.1 The Limpopo legislature supports the spirit of broad based black economic empowerment and recognizes that real empowerment can only be achieved through individuals and businesses conducting themselves in accordance with the Constitution and in an honest, fair, equitable, transparent and legally compliant manner. Against this background the Limpopo legislature condemns any form of fronting.
- 3.16.2 The Limpopo legislature, in ensuring that bidders conduct themselves in an honest manner will, as part of the bid evaluation processes, conduct or initiate the necessary enquiries/investigations to determine the accuracy of the representation made in bid documents. Should any of the fronting indicators as contained in the Guidelines on Complex Structures and Transactions and Fronting, issued by the Department of Trade and Industry, be established during such enquiry / investigation, the onus will be on the bidder / contractor to prove that fronting does not exist. Failure to do so within a period of 14 days from date of notification may invalidate the bid / contract and may also result in the restriction of the bidder /contractor to conduct business with the public sector for a period not exceeding ten years, in addition to any other remedies the Limpopo legislature may have against the bidder / contractor concerned.

3.16 SECURITY AND OCCUPANCY

- 3.17.1 Where applicable, All the areas covered by this contract fall within areas defined in the relevant Security and Access Acts as "Restricted Areas" and all of the provisions of these Acts will apply to this contract.
- 3.17.2 Where applicable, all buildings involved in this contract are subject to stringent access control for all personnel and for materials delivered to and removed from the site. In addition all workmen and staff on site or in any way involved in this contract are subject to prior security clearance. Bidders will be required to submit a list of the minimum sufficient persons required affecting the work on site plus those directly involved on site with this contract. If any person is rejected for security reasons Bidders will be required to replace them on their list. If the Bidder is ultimately unable to offer personnel with satisfactory security clearance his Bid may be rejected on such grounds.
- 3.17.3 Any person rejected by the SAPS for failing to meet the security requirements, inclusive of security clearance, wandering away from an escort or from the immediate contract area, or any misconduct on the site will immediately, without any recourse by the Contractor, be removed from site and refused re-entry to site. This refusal to site shall be in addition to any legal action the SAPS may institute.
- 3.17.4 Successful Bidder will be required to hand in to the Limpopo legislature Security Unit within Forty- Eight (48) hours after being requested, following formal acceptance of the Bid, the following information:
 - Full names of each of the persons intended to be utilized on site, including supervisory staff.
 - Position in firm plus service to be performed.
 - Intended areas they will be working in.
 - A copy of Identification Document, certified as a true copy of the original by the SAPS. Such document shall be the original certified copy.

- Home address.

3.17.5 Bidders are recommended to have such documentation, both for their own staff and for their Sub-contractors, if applicable, available prior to the closing date of Bids so as to minimise delays in security clearance of personnel once the Bid is awarded.

3.17.6 Any time lost due to delays in submitting the called for list of personnel required entering site, the rejection of personnel on the list, or the subsequent removal and banning from site of personnel will not be accepted as motivation for extension of the contract period.

3.17.7 Such clearance shall remain valid for a period not exceeding 12 months and shall only apply for one project at a time.

3.17 SAFEGUARDING OF DOCUMENTS

3.18.1 All documents will be individually numbered on issue and records kept as to what documents have been issued to whom.

3.18.2 All documents issued to sub-contractors or suppliers must be signed for, and such sub-contractors and suppliers must also accept responsibility for the safeguarding of such documents while they are in their possession.

3.18.3 All documentation shall be strictly handled as set out in the SSA Minimum Information Security Standards (MISS), a copy of which shall be provided to the successful contractor at the time of site hand over.

3.18.4 It will be the main contractor's responsibility to familiarise themselves with the MISS document and make sure his personnel and sub-contractors are advised accordingly.

3.18 BID CANCELLATION

3.19.1 Limpopo legislature may amend or cancel this Bid before the award should it deem it necessary.

3.19.2 Limpopo legislature may before the award of a bid, cancel a bid if – but not limited to:

- due to changed circumstances there is no longer need for the goods and services specified in the invitation.
- funds are no longer available to cover the total envisaged expenditure
- no acceptable bid is received; or
- there is a material irregularity in the bidding process

3.19 DELIVERY ADHERENCE

3.20.1 Delivery of goods must be made in accordance with the instructions appearing on the official Service level agreement issued by Limpopo legislature.

3.20.2 All deliveries or dispatches must be accompanied by a delivery note.

3.20.3 Deliveries not complying with the specification will be returned to the supplier or service provider's expense

Bid Declaration

Section 4

1) IF THE BIDDER IS IN PARTNERSHIP / JOINT VENTURE / CONSORTIUM.

We the undersigned partners / joint ventures / consortium, tendering as

.....
.....

hereby authorize

to sign this Bid as well as any contract resulting from this Bid and any other documents correspondence in connection with this Bid and/or contract on our behalf.

FULL NAMES:..... CAPACITY

SIGNATURE

2) IF THE BIDDER IS A ONE PERSON BUSINESS / SOLE TRADER.

I, the undersigned.....,

hereby confirm that I am the sole owner of the business trading as

.....

3) IF THE BIDDER IS SUB-CONTRACTING.

I, the undersigned.....,

hereby confirm that I will be sub-contracting work to the following company/companies

.....

.....

If more than 25% of the contract/work you enter into Limpopo legislature is to be subcontracted, indicate the following details:

Sub-contractor's name	Value of work to be sub-contracted	% of work to be sub-contracted	BBBEE Level of the sub-contractor

**I/WE, THE UNDERSIGNED, WHO WARRANTS THAT HE/SHE IS DULY AUTHORISED TO DO SO ON BEHALF OF THE FIRM
ACKNOWLEDGE THAT:**

- 1) The information furnished is true and correct.
- 2) In the event of a contract being awarded as a result of points claimed, the contractor may be required to furnish documentary proof to the satisfaction of Limpopo legislature that the claims are correct.
- 3) If the claims are found to be incorrect, Limpopo legislature may, in addition to any other remedy it may have :-
a) recover all costs, losses or damages it has incurred or suffered as a result of that person's conduct;

b) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;

4) Impose a financial penalty more severe than the theoretical financial preference associated with the claim which was made in the Bid.

5) I hereby undertake to render services described in the attached Bidding documents to Limpopo legislature in

6) accordance with the requirements and task directives / proposals specifications stipulated in this Bid proposal at the price/s quoted. My offer/s remains binding upon me and open for acceptance by LIMPOPO LEGISLATURE during the validity period indicated and calculated from the closing date of the Bid.

7) I confirm that I have satisfied myself as to the correctness and validity of my Bid; that the price(s) and rate(s) quoted cover all the services specified in the bidding documents; that the price(s) and rate(s) cover all my obligations and I accept that any mistakes regarding price(s) and rate(s) and calculations will be at my own risk.

8) I accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me under this agreement as the principal liable for the due fulfilment of this contract.

9) Declare that I have no participation in any collusive practices with any Bidder or any other person regarding this or any other Bid.

10) I confirm that I am duly authorised to sign this contract.

DECLARATION

I hereby agree that, in the event of false, incorrect or misleading information being provided in this declaration, the Secretary to Limpopo legislature shall have the right to:

- recover any losses or damages sustained by Limpopo legislature under such agreement
- restrict the supplier from further business with Limpopo legislature depending on the materiality of the misrepresentation and the degree of prejudice suffered.

Name of Representative: _____

Identity number: _____

Signature: _____ Date: _____

COMMISSIONER OF OATHS

I certify that the above has acknowledged that he/she knows and understands the contents of this document, that he/she does not have any objection to taking the oath, and that he/she considers it to be binding on his/her conscience, and which was sworn to and signed before me at _____ on this the _____ day of _____ 20____, and that the administering oath complied with the regulations contained in Government Gazette No. R 1258 of 21 July 1972, as amended.

_____ (Sign – SERVICE PROVIDER)

_____ (Name – SERVICE PROVIDER)

COMMISSIONER OF OATHS STAMP AND DETAILS OF PERSON	
ST AMP	
NAME & SURNAME:	
DESIGNATION/RANK:	
PERSAL/EMPLOYEE NO/SERVICE NUMBER:	
PLACE/DATE:	



Specifications & Terms of Reference

Section 5

PANEL OF SERVICE PROVIDERS FOR LEGAL SERVICES FOR A PERIOD OF 36 (THIRTY-SIX)MONTHS

1. BACKGROUND

The Limpopo Legislature is an autonomous institution, established in terms Chapter 6 of the Constitution of the Republic of South Africa, 1996, with a specific mandate as reflected in sections 114 to 124. The Limpopo Legislature is a representative and consultative body, a vanguard of people's aspirations and interests towards a democratic, non-sexist, non-racial, united and prosperous society. In order to fulfil its constitutional mandate, the Legislature seeks to appoint a panel of legal service providers to be engaged as and when their services are required, subject to the terms and conditions set out above.

2. CONTRACT PERIOD

The panel of Legal Panel services will be appointed for period of 36 months from the official date of appointment. The Legislature reserved the right to appoint any service provider outside the panel of appointed services at their sole discretion under any exceptional circumstances.

3. PURPOSE

The LIMPOPO LEGISLATURE calls for bids from credible, experienced, and reputable professional legal firms (admitted and enrolled as such in terms of Section 24 and 30 of the Legal Practice Act, 2014) to be appointed to the Limpopo Legislature Panel of Legal service providers to handle (amongst others) matters relating to:

- 3.1 Employment law & Labour relations matters,
- 3.2 Legal advisory on LIMPOPO LEGISLATURE 's legal administrative matters,
- 3.3 Contract management,
- 3.4 Claims and litigations,

3.5Forensic Investigations

3.6Any relevant public sector legislative matter.

4. SCOPE OF WORK

The successful legal practices will, as and when required by the LIMPOPO LEGISLATURE, render legal services on a wide range of areas, including but not limited to the list below:

- 4.1. Handling litigations and claims on behalf of the LIMPOPO LEGISLATURE in the Magistrate Court, High Court, Labour Court and CCMA, and any court of law proceedings (including allocation of relevant legal representatives where applicable such as briefing of legal councils and advocates).
- 4.2. Provide comprehensive legal advisory and administrative support to the LIMPOPO LEGISLATURE Legal unit and its personnel.
- 4.3. Provide labour-related legal support and advisory, including handling labour related matters as per LIMPOPO LEGISLATURE instructions.
- 4.4. Provide legal opinion on certain LIMPOPO LEGISLATURE processes' compliance with relevant laws, regulations, Acts, and government guidelines and based on jurisprudence.
- 4.5. Handle the LIMPOPO LEGISLATURE 's general legal issues as per instructions given for such; including liaising with relevant institutions on behalf of the LIMPOPO LEGISLATURE where required to do so for matters assigned.
- 4.6. Debt Collection / Debt Recovery.
- 4.7. Conduct Legal Due Diligence, where instructed by the LIMPOPO LEGISLATURE.
- 4.8. Review and draft policies and / or legislation and provide Training on various pieces of legislation and any other related legal issues.
- 4.9. Assist the LIMPOPO LEGISLATURE with some of its contract management functions and administration, where required.
- 4.10. Assist the LIMPOPO LEGISLATURE 's audit process, including provision of legal confirmations and any other reporting as and when required.
- 4.11. Provide legal opinions and advise as and when requested by the LIMPOPO LEGISLATURE on any other field of law that is relevant to the working environment

of the LIMPOPO LEGISLATURE, and

4.12. Any other legal related matter as may be required by LIMPOPO LEGISLATURE from time to time.

Bidders to indicate which categories of the Panel they are bidding towards, and points will be allocated according to the number of categories offered by bidders.

Indicate legal service area of specialization in categories below:

CATERGORY	YES/ NO
Provision of advice / opinions on specific legal issues	
Review and draft policies and/or legislation.	
High Court & Magistrate Court, Labour Court Litigation	
Procurement Law, Administrative Law, and Constitutional Law	
Commercial Law, Contract Law, Intellectual Property Law, and Construction Law	
Conveyancing and Property Law	
Corporate communication that may need legal inputs (including media communication),	
Advising Management on matters of corporate governance and changes to legislation	
Dealing with objections to awards made in terms of the Supply Chain Management Procedures	
The drafting and vetting of specific contracts.	
Employment Law and Labour Relations Matters including CCMA representation.	
General Legal Matters	
Debt Collection/Debt Recovery	

5.SPECIFIC DELIVERABLES EXPECTED

The appointed firms will be responsible for the deliverables, including:

- 5.1. Project Implementation Plan and Project charters,
- 5.2. Preparation and submission of regular progress reports to the LIMPOPO LEGISLATURE manager designated,
- 5.3. Skills transfer plan as part of contractual imperatives,
- 5.4. Submission of monthly reports to LIMPOPO LEGISLATURE for the progress made

to date on pending and ongoing matters,

- 5.5. Submission of monthly invoices and statements for the account,
- 5.6. Submission of a final LEGAL report to the Accounting Authority indicating pre-status, milestones achieved and future recommendations, if any,
- 5.7. Submission of the Project Close-out report and hand-over certificate confirming legal firms has successfully discharged responsibilities as per instructions given by LIMPOPO LEGISLATURE.

6. TEAM REQUIREMENTS AND CAPACITY

- 6.1. Capacity to deliver and attend to matters promptly and as per reasonable timelines given by LIMPOPO LEGISLATURE is imperative. Lack of proven capacity will attract lower functionality points for the bidder.
- 6.2. The firm undertakes to maintain properly experienced and competent team for delivery of the LIMPOPO LEGISLATURE legal assignments.
- 6.3. Any changes to the initially proposed team as per bid response, will require written approval from the LIMPOPO LEGISLATURE. The levels of teams to remain as per bid response; however, they can be improved upwards and be agreed to as such in writing.
- 6.4. Team members whose work requires accreditations or certain certifications; should ensure their memberships and accreditations or certifications are active and valid throughout the currency of the allocated assignment.
- 6.5. Team members and hourly rates charged on the assignment are to be the same as was proposed on the bid submitted on appointment.

7. OTHER REQUIREMENTS

- 7.1 Interested parties must submit estimations based on hourly rates. A panel will be appointed for providing effective assist in and competent legal services as and when instructed by the LIMPOPO LEGISLATURE.
- 7.2 Appointment to the panel does not in any way guarantee that a legal firm will receive instructions and/or that it is due a portion of any instructions.
- 7.3 The legal services will be allocated on a rotational basis and at the discretion of the

LIMPOPO LEGISLATURE, based on the requirements and expertise required by the assignment. The rates quoted should not be above the applicable DPSA rates for financial year per each team member and levels.

7.4 Falsified documents will result in immediate disqualification and reporting of a bidder engaging on such to relevant authorities for action.

7.5 Due diligence on recommended bidders will be performed for the recommended bidder/s.

7.6 To support the evaluation process, bidders are required to provide the following documents:

7.7 Company profile,

7.8 A detailed list of the proposed team to support to support the Legislature, comprising of full names, position, responsibilities, whether legal practitioner or not, qualifications, and number years of experience.

7.9 A detailed list of government and public entity experience with reference to Name of Project, Year started and completed, Name of client, contact person and telephone numbers.

NB: None submission of letter of good standing with legal practice council for each legal practitioners will result in a disqualification.

Special Conditions of the bid

- A valid CSD report (or in the case of a Joint venture, of all the partners in the joint venture) must be attached
- Accredited valid B-BBEE Certificate/ Sworn affidavit (or in case of a Joint venture, the consolidated B-BBEE Certificate must be attached).
- Bids may only be submitted on the original bid document as provided by the Limpopo Legislature.
- Limpopo Legislature reserves the rights not to accept the lowest tendered price.
- Limpopo Legislature reserves the right to conduct the inspection in loco in the business premises
- Bidders are advised to adhere to the terms of reference/specification to avoid delays and repercussions of non-adherence to the terms of reference/specification.

8. DISBURSEMENTS

All disbursements are to be charged on an actual cost basis with no mark-ups. The appointed legal practitioner should charge in terms of the fee structure as outlined below. The rate shall be adjusted annually as the prevailing CPI at the anniversary of the contract.

NB: Travel disbursements to be paid in line with LIMPOPO LEGISLATURE travel policy and subject to pre-approval.

Item	Class / Rate
Travel rate kilometer	As per Legislature's S&T Policy

9. PRICING SCHEDULE

The Legislature reserves the right to negotiate with the preferred bidders identified in the evaluation process, regarding any terms and conditions, including rationalization of the fees to ensure cost containment measures in terms of the National Treasury Guidelines prior to awarding the bid.

No	Description	Quantity per individual	Rate per hour Exc. Vat	Rate per Hour Inc. Vat
1	Directors / Partners			
2	Associate Director / Partner			
3	Senior Associate			
4	Associate / Professional Assistant			
5	Junior Associate			
6	Candidate Attorney			
Total rate per hour for duration of project				

1. EVALUATION CRITERIA

The evaluation criteria are weighted to reflect the importance of project requirements noted in all Specifications: All proposals submitted shall be evaluated based on the following criteria:

- Evaluation Stage One: Administrative Compliance
- Evaluation Stage Two: Pre-qualification functionality criteria
- Evaluation Stage Three: 80/20 preference point system

10.1.1 **Stage One Evaluation: Administrative Compliance**

This is the evaluation criteria that measures compliance of service providers with the administrative requirements of this request and mandatory functional requirements as listed in the Terms of Reference. Service providers who fail to meet all requirements will be disqualified from further evaluation.

10.1.2 **Stage Two Evaluation: Functionality Evaluation Criteria**

The evaluation criteria for measuring functionality, and the weighting attached to each criterion is listed in the table below. Service

Providers who score 70 points and above will be considered for further evaluation. Failure to meet the minimum threshold of 70 points will result in automatic disqualification.

Criteria	Weight
1. Reference letters of completed projects	
➤ Bidders must have specific experience and submit (not older than 5 years) references in respect of similar work undertaken (the references must be in the form of written proof(s) on the referees' letterheads. The references must include the relevant contact person, nature of service, contract amount, and commencement date, duration of contract, telephone number, and email addresses.	30
Points allocation:	
➤ Submission of 10 and plus - 30 points ➤ Submission of 8 to 10 letters - 20 points ➤ Submission of 5 to 7 letters -10 points ➤ Submission of 2 – 4 letters - 5 points	
All the reference letters to be submitted for similar work undertaken for past projects must be signed by Accounting Officer of the respective institution. Failure to submit the signed reference letter(s) by the Accounting Officer will result in forfeiture of points.	
2. Proposed candidate Qualifications	
➤ Bidders are required to provide certified copies of qualifications and certificates of team members to be allocated points.	35
Points Allocation:	
Director/Partner/Associate Partner, Senior Attorney	
➤ Qualification at a minimum – Law Degree (LLB) / NQF 8 – 10 points ➤ Master's degree in the area of specialization - 10 points ➤ Postgraduate diploma – 5 points ➤ Admission as a legal practitioner – 10 points	
The certified copies of qualifications and certificates must not be older by three months.	
3. Proposed Candidate's Experience	

Bidders are required to provide a detailed CV and or details of the proposed team experience applicable to this project.	35
Points Allocation	
Director/Partner/Associate Partner / Senior Attorney,	
➤ More than 20 years of legal service experience – 35 points ➤ 10 -20 years legal service experience – 20 points ➤ 5-9 years legal service experience – 10 points ➤ 2 - 4 years legal service experience – 5 points	
Total Functionality Score	100

10.1.3. Stage Three Evaluation: 80/20 Preference Points System

Price	80%
Specific goals	20%
Total points for price and specific must not exceed	100%

Calculation of Specific goals

Points must be awarded to a bidder for attaining the specific goals in accordance with the table below:

Specific goals to be allocated in terms of the tender	Number of Points to be allocated	Means of Verification
Total Points	20 Points	
HDI's and Specific Goals		
Black Ownership	4	Any Person who meets the definition of black in terms of the Constitution. The CSD report will be used as means of verification. The shareholding percentages of black ownership must be 50% or more on the CSD report for the bidder to be allocated the maximum points.
Woman Ownership	4	The CSD will be used as means of verification for woman ownership. The shareholding percentages of the woman ownership must be 50% or more on the CSD report for the bidder to be allocated the maximum points.
Youth	3	Any person in terms of the constitution below the age of 35 years. The CSD will be used as means of verification for youth ownership. The shareholding percentages of the youth ownership must be 50% or more on the CSD report for the bidder to be allocated the maximum points.
Locality (Limpopo Province)	3	The service providers must attach municipal rates for company/proof of residence from Traditional authority / Ward councilor, lease agreement must be with proof of residence for company.
Person with Disability	3	The service provider must attach medical certificate from the doctor as means of verification to substantiate the points to be claimed. The shareholding percentages of the disability ownership must be 50% or more on the CSD report for the bidder to be allocated the maximum points.
Small, Medium and Micro enterprise (SMMEs)	3	The service provider must attach valid BBBEE/Sworn affidavit for the points to be claimed.



Mandatory and Compulsory Requirements

Section 6

These are compulsory documents required for this bidding. Should the bidder fail to submit the following **MANDATORY/COMPULSORY** documents your bid will be disqualified automatically:

Item	Description	Yes	No
1	Bid Proposal		
2	Invitation to bid (SBD1): completed and signed		
3	Specification /Terms of Reference		
4	Pricing Schedule (Firm Pricing) SBD 3.1		
5	Did you submit the Price Breakdown		
6	Did you submit a total bid price including vat, For the duration of the contract?		
7	Did you attach means of verification for claiming the specific goals?		
8	Declaration of interest (SBD 4) Original completed and signed.		
9	Preference points claim (SBD 6.1) Original completed and signed		
10	Declaration of Bidder's past SCM Practices (SBD 8) Original completed and signed.		
11	Certificate of independent bid determination (SBD 9) Original completed and signed.		
12	Did you submit proof of shareholding for HDI points (CK documents)?		
13	Did you submit copies of South African IDs' for shareholders?		
14	Did you submit a consortium/joint venture agreement, if applicable?		
15	Central supplier database report		
16	Did you submit one (1) Bid proposal and (1) USB.		
17	Did you take note of and understand the Bid Instructions/Special Conditions?		
18	Did you submit your management and contact details?		
19	Did you submit contact details for references?		
20	Joint Venture / Consortium agreement / Trust Deed (if applicable)		
21	<ul style="list-style-type: none">▪ Certified copies of shareholders certificates▪ Certified copy of Company Registration documents that reflect Company name,▪ Registration number, date of registration and active Directors or Members▪ Certified copy of ID documents of the Directors or Members		

Service Provider's Name:

Completed by:.....

Signature:.....

PRICING SCHEDULE – FIRM PRICES(PURCHASES)

NOTE: ONLY FIRM PRICES WILL BE ACCEPTED. NON-FIRM PRICES (INCLUDING PRICES SUBJECT TO RATES OF EXCHANGE VARIATIONS) WILL NOT BE CONSIDERED

IN CASES WHERE DIFFERENT DELIVERY POINTS INFLUENCE THE PRICING, A SEPARATE PRICING SCHEDULE MUST BE SUBMITTED FOR EACH DELIVERY POINT

Name of bidder.....	Bid number... LPL LS 09/2025
Closing Time 11:00	Closing date... 16 FEBRUARY 2026

OFFER TO BE VALID FOR.....DAYS FROM THE CLOSING DATE OF BID.

ITEM NO.	QUANTITY	DESCRIPTION	BID PRICE IN RSA CURRENCY ** (ALL APPLICABLE TAXES INCLUDED)
		PANEL OF SERVICE PROVIDERS FOR LEGAL SERVICES FOR A PERIOD OF 36 MONTHS	R

- Required by: LIMPOPO LEGISLATURE
- At: LEBOWAKGOMO GOVERNMENT COMPL
- Brand and model
- Country of origin
- Does the offer comply with the specification(s)? *YES/NO
- If not to specification, indicate deviation(s)
- Period required for delivery *Delivery: Firm/not firm
- Delivery basis

Note: All delivery costs must be included in the bid price, for delivery at the prescribed destination.

** "all applicable taxes" includes value- added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies.

*Delete if not applicable

DECLARATION OF INTEREST

1. Any legal person, including persons employed by the state¹, or persons having a kinship with persons employed by the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid (includes a price quotation, advertised competitive bid, limited bid or proposal). In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons employed by the state, or to persons connected with or related to them, it is required that the bidder or his/her authorised representative declare his/her position in relation to the evaluating/adjudicating authority where-
 - the bidder is employed by the state; and/or
 - the legal person on whose behalf the bidding document is signed, has a relationship with persons/a person who are/is involved in the evaluation and or adjudication of the bid(s), or where it is known that such a relationship exists between the person or persons for or on whose behalf the declarant acts and persons who are involved with the evaluation and or adjudication of the bid.

- 2. In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**

- 2.1.1 Full Name of Company:
- 2.1.2 Name of Representative:
- 2.2 Identity Number:
- 2.3 Position occupied in the Company (director, trustee, shareholder²):
- 2.4 Company Registration Number:
- 2.5 Tax Reference Number:
- 2.6 VAT Registration Number:
- 2.6.1 The names of all directors / trustees / shareholders / members, their individual identity numbers, tax reference numbers and, if applicable, employee / persal numbers must be indicated in paragraph 3 below.

¹"State" means –

- (a) any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No. 1 of 1999);
- (b) any municipality or municipal entity;
- (c) provincial legislature;
- (d) national Assembly or the national Council of provinces; or
- (e) Parliament.

²"Shareholder" means a person who owns shares in the company and is actively involved in the management of the enterprise or business and exercises control over the enterprise.

- 2.7 Are you or any person connected with the bidder presently employed by the state? **YES / NO**

- 2.7.1 If so, furnish the following particulars:

Name of person / director / trustee / shareholder/ member:

Name of state institution at which you or the person connected to the bidder is employed :

Position occupied in the state institution:

Any other particulars:

.....
.....

2.7.2 If you are presently employed by the state, did you obtain the appropriate authority to undertake remunerative work outside employment in the public sector? **YES / NO**

2.7.2.1 If yes, did you attach proof of such authority to the bid document? **YES / NO**

(Note: Failure to submit proof of such authority, where applicable, may result in the disqualification of the bid.)

2.7.2.2 If no, furnish reasons for non-submission of such proof:

.....
.....

2.8 Did you or your spouse, or any of the company's directors / trustees / shareholders / members or their spouses conduct business with the state in the previous twelve months? **YES / NO**

2.8.1 If so, furnish particulars:

.....
.....

2.9 Do you, or any person connected with the bidder, have any relationship (family, friend, other) with a person employed by the state and who may be involved with the evaluation and or adjudication of this bid? **YES / NO**

2.9.1 If so, furnish particulars.

.....
.....

2.10 Are you, or any person connected with the bidder, aware of any relationship (family, friend, other) between any other bidder and any person employed by the state who may be involved with the evaluation and or adjudication of this bid? **YES/NO**

2.10.1 If so, furnish particulars.

.....
.....

2.11 Do you or any of the directors / trustees / shareholders / members of the company have any interest in any other related companies whether or not they are bidding for this contract? **YES/NO**

2.11.1 If so, furnish particulars:

.....
.....

3. **Full details of directors / trustees / members / shareholders.**

Full Name	Identity Number	Personal Tax Reference Number	State Employee Number / Persal Number

4. **DECLARATION**

I, THE UNDERSIGNED (NAME).....

CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 2 AND 3 ABOVE IS CORRECT.

I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 23 OF THE GENERAL CONDITIONS OF CONTRACT SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....

Signature

.....

Date

.....

Position

.....

Name of Company

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022

This preference form must form part of all tenders invited. It contains general information and serves as a claim form for preference points for specific goals.

NB: BEFORE COMPLETING THIS FORM, TENDERERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF THE TENDER AND PREFERENTIAL PROCUREMENT REGULATIONS, 2022

1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to invitations to tender:

- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
- the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

1.2 To be completed by the organ of state

a) The applicable preference point system for this tender is the 80/20 preference point system.

b) Either the 80/20 preference point system will be applicable in this tender. The lowest/highest acceptable tender will be used to determine the accurate system once tenders are received.

1.3 Points for this tender (even in the case of a tender for income-generating contracts) shall be awarded for:

- (a) Price; and
- (b) Specific Goals.

1.4 To be completed by the organ of state:

The maximum points for this tender are allocated as follows:

	POINTS
PRICE	80
SPECIFIC GOALS	20
Total points for Price and SPECIFIC GOALS	100

- 1.5 Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.
- 1.6 The organ of state reserves the right to require of a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the organ of state.

2. DEFINITIONS

- (a) **“tender”** means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation;
- (b) **“price”** means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;
- (c) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
- (d) **“tender for income-generating contracts”** means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and
- (e) **“the Act”** means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1. POINTS AWARDED FOR PRICE

3.1.1 THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

A maximum of 80 or 90 points is allocated for price on the following basis:

$$Ps = 80 \left(1 - \frac{Pt - P_{min}}{P_{min}} \right) \quad \text{or} \quad Ps = 90 \left(1 - \frac{Pt - P_{min}}{P_{min}} \right)$$

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

P_{min} = Price of lowest acceptable tender

3.2. FORMULAE FOR DISPOSAL OR LEASING OF STATE ASSETS AND INCOME GENERATING PROCUREMENT

3.2.1. POINTS AWARDED FOR PRICE

A maximum of 80 or 90 points is allocated for price on the following basis:

80/20

or

90/10

$$Ps = 80 \left(1 + \frac{Pt - P_{max}}{P_{max}} \right) \quad \text{or} \quad Ps = 90 \left(1 + \frac{Pt - P_{max}}{P_{max}} \right)$$

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmax = Price of highest acceptable tender

4. POINTS AWARDED FOR SPECIFIC GOALS

- 4.1. In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/ documentation stated in the conditions of this tender:
- 4.2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of —
 - (a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or
 - (b) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system,

then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

Table 1: Specific goals for the tender and points claimed are indicated per the table below.

(Note to tenderers: The tenderer must indicate how they claim points for each preference point system.)

The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (80/20 system) (To be completed by the tenderer)
Total points	20	
HDI's		
Black Ownership	4	
woman ownership	4	
Specific goals		
Youth	3	
Enterprises located in Limpopo province	3	
Person with Disability	3	
Small, Medium and Micro enterprise (SMMEs)	3	

DECLARATION WITH REGARD TO COMPANY/FIRM

4.3. Name of company/ firm.....

4.4. Company registration number:

4.5. TYPE OF COMPANY/ FIRM

- Partnership/Joint Venture / Consortium
- One-person business/sole proprietor
- Close corporation
- Public Company
- Personal Liability Company
- (Pty) Limited
- Non-Profit Company
- State Owned Company

[TICK APPLICABLE BOX]

4.6. I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the specific goals as advised in the tender, qualifies the company/ firm for the preference(s) shown and I acknowledge that:

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
- iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have
 - (a) disqualify the person from the tendering process;
 - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
 - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
 - (d) recommend that the tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
 - (e) forward the matter for criminal prosecution, if deemed necessary.

.....

SIGNATURE(S) OF TENDERER(S)

SURNAME AND NAME: _____

DATE: _____

ADDRESS:

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

- 1 This Standard Bidding Document must form part of all bids invited.
- 2 It serves as a declaration to be used by institutions in ensuring that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system.
- 3 The bid of any bidder may be disregarded if that bidder, or any of its directors have-
 - a. abused the institution's supply chain management system;
 - b. committed fraud or any other improper conduct in relation to such system; or
 - c. failed to perform on any previous contract.
- 4 **In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**

Item	Question	Yes	No
4.1	Is the bidder or any of its directors listed on the National Treasury's database as companies or persons prohibited from doing business with the public sector? (Companies or persons who are listed on this database were informed in writing of this restriction by the National Treasury after the <i>audi alteram partem</i> rule was applied).	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.1.1	If so, furnish particulars:		
4.2	Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)? To access this Register enter the National Treasury's website, www.treasury.gov.za, click on the icon "Register for Tender Defaulters" or submit your written request for a hard copy of the Register to facsimile number (012) 3265445.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.2.1	If so, furnish particulars:		
4.3	Was the bidder or any of its directors convicted by a court of law (including a court outside of the Republic of South Africa) for fraud or corruption during the past five years?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.3.1	If so, furnish particulars:		
4.4	Was any contract between the bidder and any organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.4.1	If so, furnish particulars:		

CERTIFICATION

I, THE UNDERSIGNED (FULL NAME).....
CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM IS TRUE AND CORRECT.

I ACCEPT THAT, IN ADDITION TO CANCELLATION OF A CONTRACT, ACTION MAY BE TAKEN AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

CERTIFICATE OF INDEPENDENT BID DETERMINATION

- 1 This Standard Bidding Document (SBD) must form part of all bids¹ invited.
- 2 Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).² Collusive bidding is a *per se* prohibition meaning that it cannot be justified under any grounds.
- 3 Treasury Regulation 16A9 prescribes that accounting officers and accounting authorities must take all reasonable steps to prevent abuse of the supply chain management system and authorizes accounting officers and accounting authorities to:
 - a. disregard the bid of any bidder if that bidder, or any of its directors have abused the institution's supply chain management system and or committed fraud or any other improper conduct in relation to such system.
 - b. cancel a contract awarded to a supplier of goods and services if the supplier committed any corrupt or fraudulent act during the bidding process or the execution of that contract.
- 4 This SBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.
- 5 In order to give effect to the above, the attached Certificate of Bid Determination (SBD 9) must be completed and submitted with the bid:

¹ Includes price quotations, advertised competitive bids, limited bids and proposals.

² Bid rigging (or collusive bidding) occurs when businesses, that would otherwise be expected to compete, secretly conspire to raise prices or lower the quality of goods and / or services for purchasers who wish to acquire goods and / or services through a bidding process. Bid rigging is, therefore, an agreement between competitors not to compete.

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

(Bid Number and Description)

in response to the invitation for the bid made by:

(Name of Institution)

do hereby make the following statements that I certify to be true and complete in every respect:

I certify, on behalf of: _____ that:

(Name of Bidder)

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:
 - (a) has been requested to submit a bid in response to this bid invitation;
 - (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
 - (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder
6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However communication between partners in a joint venture or consortium³ will not be construed as collusive bidding.
7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
 - (a) prices;
 - (b) geographical area where product or service will be rendered (market allocation)
 - (c) methods, factors or formulas used to calculate prices;
 - (d) the intention or decision to submit or not to submit, a bid;
 - (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
 - (f) bidding with the intention not to win the bid.
8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.
9. The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.

³ Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.

10. I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder



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