
TERMS OF REFERENCE:

APPOINTMENT OF A PANEL OF LAW FIRMS THAT WILL BE USED TO PROVIDE LEGAL ASSISTANCE / SERVICES TO THE COMPANIES TRIBUNAL FOR A PERIOD OF 3 YEARS

TENDER: CT002 (26/27)

CLOSING DATE: 29 MAY 2026

VALIDITY PERIOD: 120 DAYS

NB: On the last page of this document the bidder needs to declare and indicate that they have read and understood the document in full.

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1. INVITATION

The Companies Tribunal is inviting suitably qualified law firms to submit proposals to be appointed to the panel of law firms.

Generally, timeframes cannot be set before entering into a formal agreement. As such, the duration of any given assignment will depend mainly on the nature and scope of the work to be done. Appointed service providers must be available at all junctures to provide assistance within the set time frames, as requested. When deadlines are set, service providers will be expected to deliver the required services within the set timeframe. Non-performance will lead to removal from the panel.

A law firm that is appointed to render services to the Tribunal will have to enter into a Service Level Agreement (SLA), when necessary and depending on the type of assignment that is procured. Proposed fees with a detailed breakdown of costs must be quoted for the different levels of proposed resources to be utilized once a specific project is assigned.

2. BACKGROUND

The Tribunal is established in terms of the Companies Act, 2008 (the Act) as amended. The Tribunal adjudicates disputes and makes decisions according to the Act.

3. SCOPE OF WORK

Successful bidders will be required to assist with handling legal services matters on behalf of the Companies Tribunal, which will include litigation, and general legal support for a period of three (3) years in any of the following legal categories:

- Company Law;
- Labour Law;
- Commercial law;
- Legislative Drafting;
- Administrative law;
- Corporate Governance;
- Constitutional Law; and
- Other matters subject to legislation governing Companies Tribunal.

4. DELIVERABLES

4.1. The prospective bidder is required to indicate a minimum of four (4) categories (focus area):

No.	LEGAL CATEGORY (AREA)	SERVICES (FOCUS)	BIDDER'S SERVICE (S) CATEGORY (FOCUS AREA) THE BIDDER WISH TO RESPOND TO
			(X = Yes)
1	Company Law;		
2	Labour Law;		
3	Commercial law;		
4	Legislative Drafting;		
5	Administrative law;		
6	Corporate Governance; and		
7	Constitutional Law;		

4.2. The prospective bidder will perform the following for each category selected

- Representing the Tribunal in court hearings etc.
- Developing and implementing a comprehensive strategy.
- Drafting and filing all necessary court documents.
- Advising the Tribunal on all legal matters relating to the case.
- Legal Team:

Please take note: The Tribunal anticipates that if a need to engage a separate counsel emerges, the following will be considered as the team (One Senior Counsel, One Junior Counsel). The Tribunal will not cover costs for additional legal resources beyond the core team specified above.

5. GENERAL REQUIREMENTS

- Company profile including number of years in operation.
- Experience of team members post admission.
- Reference letters

6. EVALUATION PROCESS

The Tribunal will evaluate all proposals in terms of the Preferential Procurement Policy Framework Act. No. 5 of 2000 (PPPFA). 2 phase evaluation criteria will be considered in evaluating the bid as follows:

a. Phase 1: Pre-Qualification Criteria (Mandatory requirements)

This stage checks and validates the bidder's compliance with legal requirements to conduct business with the government of South Africa.

All proposals duly lodged will be examined to determine compliance with bidding requirements and conditions (completion and attachment of compulsory documents). NB: No points will be allocated to this stage; however, bidders that do not comply with the mandatory requirements below will be disqualified and will not advance to the next stage of evaluation.

Pre-Qualification Requirements	Check list √ Tick each box
SBD 1: Completed, attached and signed	
SBD 3.1: Completed, attached	
SBD 4: Completed, attached and signed	
SBD 6.1: Completed, attached and signed	
Terms of Reference document: Completed, attached and signed	
General Conditions of Contract: Initialled and attached	
Proof of registration on Central Supplier Database (managed by National Treasury) a report not older than a month of the date of submission must be submitted	
Professional affiliations: Legal Practice Council (Letter of Good Standing)	
Valid Fidelity fund certificate	

Note: All SBD forms must be submitted (signed) noting where it is not applicable. If any specific SBD form is not submitted, documentary proof clearly stating the reasons must be attached.

Failure to adhere to the above conditions will invalidate the proposal.

Bidders must also supply the following documents (where applicable).

Other Requirements	Check list √ Tick each box
Valid B-BBEE Certificate or (attach certified copy) or Sworn Affidavit	
Company Registration documents	

NB: all copies must be certified as a true copy of the original

b. Phase 2: Functional/Technical Evaluation

Only bidders that have met the pre-qualification criteria will be evaluated for functional evaluation. In this phase the evaluation will be based on the bidder's responses in respect of the bid proposal. Prospective bidders who score a minimum of 75 points or more will be considered to be put on a panel.

All proposals will be evaluated for functionality as follows:

FUNCTIONALITY / QUALITY CRITERIA	POINTS
1. EXPERIENCE OF THE SERVICE PROVIDER AS AN ORGANISATION	30
<p>Law firm relevant experience:</p> <p>Company Profile:</p> <p>Comprehensive law firm profile should indicate the following:</p> <ul style="list-style-type: none"> - The Law Firm profile highlighting the years of experience specializing in the indicated categories (focus areas table) - No Company profile submitted = 0 points - 1 – 5 years = 5 Points - More than 5 – 10 years = 10 Points - More than 10 – 15 years = 15 Points - More than 15 – 20 years = 20 Points - More than 20 – 25 years = 25 Points - More than 25 years and above 30 Points 	

Total technical points	100
Minimum threshold for technical (functionality)	75

FUNCTIONALITY/ QUALITY CRITERIA	POINTS
2. LITIGATION STRATEGY / METHODOLOGY	20
<p>How does the prospective bidder approach a legal matter- prepare a litigation strategy and how will such approach assist Companies Tribunal in achieving its mandate and ensure cost efficiency?</p> <ul style="list-style-type: none"> • No litigation strategy = 0 • Litigation strategy without analysis for prospects of success = 5 • Litigation strategy with analysis for prospects of success but without evaluation for possibility of settlement = 10 • Litigation strategy with analysis for prospects of success and evaluation for the possibility of settlement but without cost savings plan = 15 • Litigation strategy with analysis for prospect of success, evaluation for possibility of settlement and cost savings plan= 20 	
3. EXPERIENCE OF THE LEAD PERSONNEL OF THE FOCUS AREA	25
<p>The number of years the lead personnel has been admitted as an attorney and specialized in one of the categories (focus areas)</p> <ul style="list-style-type: none"> • No CV submitted = 0 points • 1 – 5 years = 5 Points • More than 5 – 10 years = 10 Points • More than 10 – 15 years = 15 Points • More than 15 – 20 years = 20 Points • More than 20 – 25 years = 25 Points <p>NB. If there is more than one lead in the categories (focus areas), CVs of the other leads must be attached.</p>	
4. REFERENCE LETTERS	25
<p>Written and contactable reference letters from clients where a similar service has been rendered per category (focus area) indicated</p> <ul style="list-style-type: none"> • No information provided = 0 points • 1 reference letter per category = 10 points • 2 reference letters per category = 15 points • 3 reference letters per category = 20 points • 4 reference letters per category = 25 points 	

A point scoring system would be utilized as follows:

Score	Description
1	Does not meet requirements, or no information supplied.
2	Meet some of the requirements
3	Almost meet all requirements
4	Fully meet all requirements
5	Exceeds all requirements

7. KEY EXPERTISE

7.1. LEAD PERSONNEL shall have:

- 7.1.1. A minimum of three (3) years' experience in the fields of public and private law. A thorough understanding and experience of the relevant subject matter of the project assigned,
- 7.1.2. Project management skills; valid certificates, qualifications, reference list with contactable persons,
- 7.1.3 The experience and litigation skills in the public sector of the project manager should be specified in the curriculum vitae.
- 7.1.4 The responsibilities shall include, but are not limited to:
 - the overall implementation and quality assurance of the project.
 - the regular liaison with the responsible manager of the Organisation.
 - ensuring that the project is implemented smoothly and that any problems are addressed rapidly and effectively in consultation with the responsible manager of the Organisation.

8. VALIDITY OF PROPOSALS

- The Supplier is required to confirm that it will hold its proposal valid for 120 days from the closing date of the submission of proposals.
- In exceptional circumstances, the Companies Tribunal (CT) may solicit the bidder's consent to an extension of the period of the validity of the bid. The request and responses thereto shall be made in writing.

9. PROPOSAL SUBMISSION REQUIREMENTS

- All compulsory documents as stated under point 5 above.
- In case of joint ventures, bidders must provide a clear agreement regarding joint venture/consortia.

- A trust, consortium or joint venture must submit a consolidated B-BBEE status level verification certificate.
- Bidders must submit 1 x original Bid document, and 1 x soft copy (USB drive).
- No late bids will be considered.
- It is the bidder's responsibility to ensure that the bid is sent to the correct physical address and that it is received by the Companies Tribunal (CT) before the closing date and time. The office hours are 08h00 to 16h00 from Monday to Friday, except on public holidays.
- It is the bidder's responsibility to ensure that they have signed the tender register when submitting their tender.
- Proposals must be submitted or delivered to CT at the following address:

**Companies Tribunal,
Block E, 3rd Floor, the dtic Campus,
77 Meintjies Street,
Sunnyside, Pretoria**

10. PRICING

- The Tribunal will not be liable for any cost incurred in the preparation of proposals.
- Payment will be made within 30 days after receipt of the valid original tax invoice.

11. DISCLAIMER

The Tribunal reserves the right to:

- Award the contract or any part thereof to one or more service providers
- Reject all bids
- Decline to consider any bids that do not conform to any aspect of the bidding process
- Request further information from any service provider after the closing date, for clarification purpose
- The Tribunal reserves the right at any time to visit the premises of the bid proposer if deemed necessary to ensure security of the information.
- Any false declaration of information will result in the exclusion of the bid proposal from consideration.

12. NOTES TO BIDDERS

This section outlines basic requirements that must be met. Failure to meet these requirements or part thereof may result in your proposal being excluded from the evaluation process:

- Proposal documents must be submitted to the Tribunal
- The Tribunal will not be liable for any cost incurred by the bidder in the preparation of proposals
- An evaluation of proposals will be carried out by the Tribunal. The Bid Evaluation Committee will, if necessary, contact bidders to seek clarification on any aspect of the proposals.

13. ENQUIRIES

Technical: Mesuli Mpeta (012) 394 1807 or e-mail: mmpeta@companiestribunal.org.za

Supply Chain Management: Dikeledi Rathlogo (012) 394 3680 or email SCM@companiestribunal.org.za

14. APPROVAL

	Name and Title	Signature	Date
Approved by:	MI MATHATHO ACOO		07/05/2026

15. DECLARATION BY THE BIDDER

I, (Full names) the undersigned certify that the information provided is true and correct, and understood the contents of the document in full.

SIGNATURE :

DATE:

SUPPLIER NAME:

CSD NUMBER:

CONTACT NUMBER: