



T30/08/25

**REQUEST FOR PROPOSAL FOR THE
APPOINTMENT OF A PANEL OF LEGAL
SERVICE PROVIDERS FOR THE IDC**

BID CLOSING DATE:

09 OCTOBER 2025 AT 11:00 AM

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SECTION 1: GENERAL CONDITIONS OF BID

SECTION 1: GENERAL CONDITION OF BID

1. PROPRIETARY INFORMATION

Industrial Development Corporation of SA Ltd (IDC) considers this Request for Proposal (RFP) and all related information, either written or verbal, which is provided to the respondent, to be proprietary to IDC. It shall be kept confidential by the respondent and its officers, employees, agents and representatives. The respondent shall not disclose, publish, or advertise this RFP or related information to any third party without the prior written consent of IDC.

2. ENQUIRIES

- 2.1. All communication and attempts to solicit information of any kind relative to this RFP should be channelled **in writing** to:

Name: Mr Hleketa Hlongwane

Telephone Number: Office: +27 11 269 3032

Email address: hleketah@idc.co.za

- 2.2. Enquiries in relation to this RFP will not be entertained after 16h00 on **29 September 2025**.
- 2.3. The enquiries will be consolidated, and IDC will issue one response and such response will be posted, within two days after the last day of enquiries, onto the IDC website (www.idc.co.za) under tenders i.e., next to the same RFP document.
- 2.4. The IDC may respond to any enquiry in its absolute discretion and the bidder acknowledges that it will have no claim against the IDC on the basis that its bid was disadvantaged by lack of information, or inability to resolve ambiguities.

3. BID VALIDITY PERIOD

- 3.1. Responses to this RFP received from bidders will be valid for a period of **180** days counted from the bid closing date.

4. INSTRUCTIONS ON SUBMISSION OF BIDS

- 4.1. Bid responses must be submitted in electronic format only and must be e-mailed to the dedicated e-mail address as provided herein.
- 4.2. Bid responses should be in generally acceptable / standard electronic file format/s (i.e., Microsoft suite of products or pdf) to enable access thereto by the IDC for purposes of evaluating responses received. Where documents are presented in a format which cannot be accessed by the IDC through generally acceptable formats, such bid response will be disqualified.
- 4.3. The closing date for the submission of bids is **09 October 2025** not later than **11:00 AM** (before midday). No late bids will be considered. Bids must only be sent to https://idcza-my.sharepoint.com/:f/g/personal/tinyikou_idc_co_za/EpIPdF7XdsZKqcakNjnnuHQB9W86Ln0Cfe. Bids sent to any other email address other than the one specified herein will be disqualified and will not be considered for evaluation. It is the bidder's responsibility to ensure that the bid is sent to the correct platform and that this is received by the IDC before the closing date and time in IDC's dedicated platform https://idcza-my.sharepoint.com/:f/g/personal/tinyikou_idc_co_za/EpIPdF7XdsZKqcakNjnnuHQB9W86Ln0Cfe.
- 4.4. Bidders are advised to submit / send its bid responses at least **30 minutes** before the 11:00AM deadline to avoid any Information Technology (IT) network congestions or technical challenges in this regard which may result in bid responses being received late. IDC's e-mail servers are configured to receive e-mails with sizes up to 50MB.
- 4.5. The IDC will not be held responsible for any of the following:
- 4.5.1. bid responses sent to the incorrect email address;
 - 4.5.2. bid responses being inaccessible due to non-standard electronic file formats being utilised to submit responses by bidders;

- 4.5.3. any security breaches and unlawful interception of tender / bid responses by third parties outside the IDC's IT network domain;
- 4.5.4. bid responses received late due to any IT network related congestions and/or technical challenges; and
- 4.5.5. bid responses with file size limits greater than IDC's e-mail receipt capacity of 50MB.
- 4.6. Only responses received via the specified email address will be considered.
- 4.7. Where a complete bid response (Inclusive of all relevant Schedules) is **not received** by the IDC in its electronic platform https://idcza-my.sharepoint.com/:f/g/personal/tinyikou_idc_co_za/EpIPdF7XdsZKqcakNjnnuHQB9W86Ln0Cfe by the closing date and time, such a bid response will be regarded as incomplete and late. Such late and / or incomplete bid will be disqualified. **It is the IDC's policy not to consider late bids for tender evaluation.**
- 4.8. Amended bids may be sent to the electronic platform https://idcza-my.sharepoint.com/:f/g/personal/tinyikou_idc_co_za/EpIPdF7XdsZKqcakNjnnuHQB9W86Ln0Cfe marked "Amendment to bid" and should be received by the IDC **before** the closing date and time of the bid.

5. PREPARATION OF BID RESPONSE

- 5.1. All the documentation submitted in response to this RFP must be in English.
- 5.2. The bidder is responsible for all the costs that it shall incur related to the preparation and submission of the bid document.
- 5.3. Bids submitted by bidders which are companies or are comprised of companies must be signed by a person or persons duly authorised thereto by a resolution of the applicable Board of Directors, a copy of which Resolution, duly certified, must be submitted with the bid.
- 5.4. The bidder should check the numbers of the pages of its bid to satisfy itself that none are missing or duplicated. No liability will be accepted by IDC in regard to anything arising from the fact that pages of a bid are missing or duplicated.
- 5.5. Bidder's tax affairs with SARS must be in order (tax compliant status) and bidders must provide written confirmation to this effect as part of their tender response.
- 5.6. In the event that the bidding structure is a Prime Contractor with Sub-contractor/(s), then the Prime Contractor **must** hold the highest percentage allocation in terms of the value of the contract.

6. SUPPLIER PERFORMANCE MANAGEMENT

- 6.1. Supplier Performance Management is viewed by the IDC as a critical component in ensuring value for money acquisition and good supplier relations between the IDC and all its suppliers.
- 6.2. The successful bidder shall upon receipt of written notification of an award, be required to conclude a Service Level Agreement (SLA) with the IDC, which will form an integral part of the supply agreement. The SLA will serve as a tool to measure, monitor, and assess the supplier performance and ensure effective delivery of service, quality and value-add to IDC's business.
- 6.3. Successful bidders will be required to comply with the above condition and also provide a scorecard on how their product / service offering is being measured to achieve the objectives of this condition.

7. ENTERPRISE AND SUPPLIER DEVELOPMENT

The IDC promotes enterprise development. In this regard, successful bidders may be required to mentor SMMEs and/ or Youth-Owned businesses. The implications of such arrangement will be subject to negotiations between the IDC and the successful bidder.

8. IDC'S RIGHTS

- 8.1.** The IDC is entitled to amend any bid condition, bid validity period, RFP specification, or extend the bid closing date, all before the bid closing date. All bidders, to whom the RFP documents have been issued and where the IDC have record of such bidders, may be advised in writing of such amendments in good time and any such changes will also be posted on the IDC's website under the relevant tender information. All prospective bidders should therefore ensure that they visit the website regularly and before they submit their bid response to ensure that they are kept updated on any amendments in this regard.
- 8.2.** The IDC reserves the right not to accept the lowest priced bid or any bid in part or in whole. It normally awards the contract to the bidder who proves to be fully capable of handling the contract and whose bid is functionally acceptable and financially advantageous to the IDC.
- 8.3.** The IDC reserves the right to conduct site visits at bidder's corporate offices and / or at client sites if so required.
- 8.4.** The IDC reserves the right to request all relevant information, agreements, and other documents to verify information supplied in the bid response. The bidder hereby gives consent to the IDC to conduct background checks, including FICA verification, on the bidding entity and any of its directors / trustees / shareholders / members.
- 8.5.** The IDC reserves the right, at its sole discretion, to appoint any number of vendors to be part of this panel of service providers, if applicable (i.e., where a panel is considered).
- 8.6.** The IDC reserves the right of final decision on the interpretation of its tender requirements and responses thereto.
- 8.7.** The IDC reserves the right to consider professional conduct and experiences it had with any bidder which rendered similar services to the IDC in the past 5 years over and above the references put forward by the bidder in its response.

9. UNDERTAKINGS BY THE BIDDER

- 9.1.** By submitting a bid in response to the RFP, the bidder will be taken to offer to render all or any of the services described in the bid response submitted by it to the IDC on the terms and conditions and in accordance with the specifications stipulated in this RFP document.
- 9.2.** The bidder shall prepare for a possible presentation should IDC require such and the bidder will be required to make such presentation within five (5) days from the date the bidder is notified of the presentation. Such presentation may include a practical demonstration of products or services as called for in this RFP.
- 9.3.** The bidder agrees that the offer contained in its bid shall remain binding upon him/her and receptive for acceptance by the IDC during the bid validity period indicated in this RFP and its acceptance shall be subject to the terms and conditions contained in this RFP document read with the bid.
- 9.4.** The bidder furthermore confirms that he/she has satisfied himself/herself as to the correctness and validity of his/her bid response; that the price(s) and rate(s) quoted cover all the work/item(s) specified in the bid response documents; and that the price(s) and rate(s) cover all his/her obligations under a resulting contract for the services contemplated in this RFP; and that he/she accepts that any mistakes regarding price(s) and calculations will be at his/her risk.
- 9.5.** The successful bidder accepts full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on him/her under the supply agreement and SLA to be concluded with IDC, as the principal(s) liable for the due fulfilment of such contract.
- 9.6.** The bidder accepts that all costs incurred in the preparation, presentation and demonstration of the solution offered by it shall be for the account of the bidder. All supporting documentation and manuals submitted with its bid will become IDC property unless otherwise stated by the bidder/s at the time of submission.

10. REASONS FOR DISQUALIFICATION

10.1. The IDC reserves the right to disqualify any bidder which does any one or more of the following, and such disqualification may take place without prior notice to the offending bidder:

- 10.1.1.** bidder whose Tax Status is non-compliant, after they have been notified accordingly and still remain non-compliant;
- 10.1.2.** bidder who submits incomplete information and documentation according to the requirements of this RFP document;
- 10.1.3.** bidder who submits information that is fraudulent, factually untrue, or inaccurate information;
- 10.1.4.** bidder who receives information not available to other potential bidders through fraudulent means;
- 10.1.5.** bidder who does not comply with any of the mandatory requirements as stipulated in the RFP document;
- 10.1.6.** bidder who fails to comply with POPIA requirements as listed herein; and
- 10.1.7.** bidder, as the prime contractor, who holds a lower percentage in terms of the value of the contract than any of its subcontractor/(s).

11. RETURNABLE SCHEDULES

Bidders shall submit their bid responses in accordance with the returnable schedules specified below (each schedule must be clearly marked):

11.1. Cover Page: (the cover page must clearly indicate the RFP reference number, bid description and the bidder's name)

11.2. Schedule 1:

- 11.2.1.** Executive Summary (explaining how you understand the requirements of this RFP and the summary of your proposed solution)
- 11.2.2.** Annexure 1 of this RFP document (duly completed and signed)

11.3. Schedule 2

- 11.3.1.** Copy of Board Resolution, duly certified;
- 11.3.2.** Originally certified copy of ID document for the Company Representative;
- 11.3.3.** Annexure 2 of this RFP document (duly completed and signed);
- 11.3.4.** Annexure 3 of this RFP document (duly completed and signed);
- 11.3.5.** Annexure 4 of this RFP document (duly completed and signed);
- 11.3.6.** Response to Annexure 6: BEE Commitment Plan;
- 11.3.7.** Bidders must submit a B-BBEE verification certificate. For Exempted Micro Enterprises (EME) with an annual revenue of less than R10 million and Qualifying Small Enterprises (QSE) with an annual revenue of between R10 million and R50 million per annum, a sworn affidavit confirming the annual total revenue and level of black ownership may be submitted. Any misrepresentation in terms of the declaration constitutes a criminal offence as set out in the B-BBEE Act as amended.

Note: If a bidder is a Consortium, Joint Venture or Prime Contractor with Subcontractor(s), the documents listed above must be submitted for each Consortium/ JV member or Prime Contractor and Subcontractor(s).

- 11.3.8.** Annexure 7 of this RFP document (duly responded to);
- 11.3.9.** Annexure 8 of this RFP document (duly completed and signed, if applicable);
- 11.3.10.** Statement of Financial Position of the Bidder: Latest Audited Financial Statements (where applicable in terms of the Company's Act) and/or independently reviewed financial statements and/or Cashflow Budget for new entities with no financial records.

11.3.11. Copy of Joint Venture/ Consortium/ Subcontracting Agreement duly signed by all parties (if applicable).

11.4. Schedule 3:

11.4.1. Response to Section 2 of this document, in line with the format indicated in this RFP document.

11.4.2. Annexure 5 of this RFP document duly completed and signed.

12. EVALUATION CRITERIA AND WEIGHTINGS

Bids shall be evaluated in terms of the following process:

12.1. Phase 1: Initial Screening Process: During this phase, bid responses will be reviewed for purposes of assessing compliance with RFP requirements including the general bid conditions and also the Specific Conditions of Bid, which requirements include the following:

- IDC will make use of the Central Supplier Database (CSD) to access key information which is required to conduct supplier vetting including Company Registration status, tax compliance status and any other relevant checks conducted on CSD.
- In the event that the bidding structure is a Prime Contractor with Sub-contractor/(s), then IDC will evaluate the information provided in Annexure 2 (Acceptance of Bid Conditions and Bidder's Details) and if determined that the Prime Contractor holds a lower percentage in terms of the value of the contract than any of its subcontractor/(s), then the bid will be disqualified.
- Submission of ID copy for the Company Representative as referenced in 11.3.3 above.
- BEE Status Certification as referenced in 11.3.7 above.
- Completion of all Standard Bidding Documents and other requirements, as reflected in this RFP, which covers the following:
 - Section 2: Statement of compliance with the Functional Evaluation Criteria for this RFP.
 - Annexure 1: Acceptance of Bid Conditions.
 - Annexure 2: Tax Compliance Requirements.
 - Annexure 3: Bidder's Disclosure.
 - Annexure 4: Shareholders' Information/ Group Structure.
 - Annexure 5: Bidders Experience & Project Team.
 - Annexure 6: BEE Commitment Plan.
 - Annexure 7: Disclosure Statement.
 - Annexure 8: Privacy & Protection of Personal Information Act 4 of 2013 Requirements.
 - Annexure 9: Contract fees for the panel

Note: Failure to comply with the requirements assessed in Phase 1 (compliance), may lead to disqualification of bids.

12.2. Phase 2: Mandatory / Technical Requirements Evaluation

Bid responses will be evaluated in accordance with the Functional criteria as follows:

12.2.1. Mandatory / Technical Requirements

All bid responses that do not meet the Mandatory Functional Requirements will be disqualified and will not be considered for further evaluation on the Other Functional Requirements. The Mandatory Functional Requirements are stated in section 2 of this RFP document.

Note: Failure to comply with the Mandatory Requirements assessed in this phase will lead to disqualification of bids.

12.2.2. Technical Requirements Evaluation of Small and Medium Sized Firms

With regards to the other Technical Requirements, the following criteria (set out in more detail in section 2 of this RFP document) and the associated weightings will be applicable:

NB: The following criteria are applicable to Each Service Category.

ELEMENT	WEIGHT
Demonstrable Relevant Experience of the Bidder/ Bidder's team (The Bidder must have existed for at least 5-10 (five to ten) years or directors/partners of the firm must have at least 5-10 (five to ten) years post admission experience.	60%
References Letters from 3 (three) clients of the Bidder, confirming the nature of services (referred to in 3.2 below) rendered by the Bidder.	30%
Bidder's policy on the management of conflict of interest.	10%
TOTAL	100%

Note: The minimum qualifying score for functionality is 70%. All bidders that fail to achieve the minimum qualifying score on functionality shall not be considered for further evaluation on Specific Goals.

12.2.3. Technical Requirements Evaluation Large Firms

With regards to the other Technical Requirements, the following criteria (set out in more detail in section 2 of this RFP document) and the associated weightings will be applicable:

ELEMENT	WEIGHT
Demonstrable Relevant Experience of the Bidder (The Bidder must have existed for at least 15 (fifteen) years or Partners/Directors of the firm must have at least 15 (fifteen) years post admission experience)	20%
References Letters from 3 (three) clients of the Bidder, confirming the nature of services (referred to in 3.2 below) rendered by the Bidder.	30%
Experience of the bidder's proposed team of lawyers	10%
Managing Conflict of Interest	20%
Skills transfer plan to newly qualified legal professionals from previously disadvantaged groups in society	20%
TOTAL	100%

Note: The minimum qualifying score for functionality is 70%. All bidders that fail to achieve the minimum qualifying score on functionality shall not be considered for further evaluation on Specific Goals.

12.2.4. Phase 3: Preference Point System

All bids that achieve the minimum qualifying score for Functionality (acceptable bids) will be evaluated further in terms of specific goals, as follows:

CRITERIA	POINTS
Specific Goals ¹	10
TOTAL	100

¹Specific Goals for this tender and points that may be claimed are indicated per table below:

SPECIFIC GOALS	POINTS (10)
Black ownership ²	5

30% Black women ownership	2
Any % of ownership by Black Designated Groups ³	1
Reconstruction Development Programme Objective: Promotion of SMMEs (Entities that are EME or QSE)	2
TOTAL POINTS	10

²Black ownership: 100% black owned entities will score the full 10 points (if 80/20 system) system), and between 51% - 99.99% black owned entities will score 4 points (if 80/20 system).

³Black Designated Groups has the meaning assigned to it in the codes of good practice issued in terms of section 9(1) of the Broad-Based Black Economic Act as amended.

Important Note: Only enterprises with direct Black shareholding that fall under the four categories below will be considered for allocation of points on Specific Goal:

- Exercisable voting rights in the hands of Black people;
- Exercisable voting rights in the hands of Black women;
- Exercisable voting rights in the hands of Black Designated Groups; and
- Employee Share Ownership Programmes (“ESOPs”) with direct shareholding and exercisable voting rights in the hands of Black People, Black woman, and Black Designated Groups.

12.2.5. Phase 4: Objective Criteria

This contract will be awarded to the bidder scoring the highest points unless an objective criterion justifies the award of the tender to a bidder other than the highest scoring bidder.

12.2.6. Objective Criteria are:

The bidder must pose less risk to the IDC. The risk will be assessed in terms of, but not limited to, the following:

- Reputational Risk: This will be assessed in line with the bidder’s disclosure (Refer to Annexure 7: Disclosure statement of this document).
- Concentration Risk: Over exposure to a single bidder.
- The bidder’s financial capability in relation to the execution of the contract.
- The bidder’s past performance in IDC contracts.

13. PROMOTION OF EMERGING BLACK OWNED SERVICE PROVIDERS

It is the IDC’s transformation objective to promote participation of Black law firms and Black law professionals through its panel of legal firms. To give effect to this requirement, bidders are required to submit a BEE certificate or Sworn Affidavit in case of an EME or QSE which will be considered as part of the Specific Goals scoring listed in 12.2.4.

SECTION 2: FUNCTIONAL REQUIREMENTS SPECIFICATION

SECTION 2: FUNCTIONAL REQUIREMENTS

1. SPECIAL INSTRUCTIONS TO BIDDERS

- 1.1. Should a bidder have reason to believe that the Functional Requirements are not open/fair and/or are written for a particular service provider; the bidder must notify IDC Procurement within five (5) days after publication of the RFP.
- 1.2. Bidders shall provide full and accurate answers to the questions posed in this RFP document, and, where required explicitly state "Comply/Not Comply" regarding compliance with the requirements. Bidders must substantiate their response to all questions, including full details on how their proposal/solution will address specific functional/ technical requirements; failure to substantiate may lead to the bidder being disqualified. All documents as indicated must be supplied as part of the bid response.
- 1.3. Failure to comply with Mandatory Requirements may lead to the bidder being disqualified.

2. BACKGROUND INFORMATION

The IDC is a self-financing, National Development Finance Institution (DFI). It was established in 1940 to promote economic growth and industrial development in South Africa.

The IDC invites bidders for the provision of legal services on behalf of the Legal Services Department ("**LSD**") and the Recoveries, Business Rescue & Insolvencies Department ("**RBI**") ("The Departments"). The purpose of this RFP is to appoint a panel of law firms who shall be engaged on a needs basis to provide legal advisory services to the IDC.

3. SCOPE OF WORK/TERMS OF REFERENCE

3.1 LSD and RBI are responsible for providing objective, value adding and innovative legal advisory services and solutions to the IDC. The Departments ensure that the organisation's legal risks are managed adequately and reduces the IDC's exposure to litigation. To this end, the IDC seeks to establish a panel of external attorneys from whom assistance shall be sought on a need basis. Therefore, the IDC requests proposals from capable law firms or practitioners of good standing within the legal fraternity.

3.2 The required legal advisory services have been categorised into twenty (20) categories as reflected below. Bidders must indicate, in the table below, with a **tick (✓)** the categories the bidder is bidding for:

SERVICE CATEGORIES		PLEASE TICK (✓)
1.	Foreclosure	
2.	Debt Collection	
3.	Banking and Finance	
4.	Structured Finance	
5.	Project Finance	
6.	Corporate Finance	
7.	Corporate and Commercial Law	
8.	Mergers and Acquisitions	
9.	Private Equity	

SERVICE CATEGORIES		PLEASE TICK (✓)
10.	Conveyancing	
11.	Intellectual Property Law	
12.	Competition Law	
13.	Administrative Law & Public Law (including expertise in PFMA, Public Procurement and other applicable legislation impacting IDC/SOEs)	
14.	Environmental Law	
15.	Tax Law	
16.	Insolvency Law	
17.	Regulatory Compliance	
18.	Trust Law	
19.	Litigation relating to categories 1 to 18 above	
20.	Labour Law	

Note: Bidders must ensure that they provide the required response/ information to the evaluation criteria for each service category the bidder is bidding for.

3.3 For fair, transparent and equitable work distribution, the following process will be followed:

3.3.1 Rankings

- The panellist will be ranked from the highest to lowest according to the specific goal point score.
- The technical requirement score will be applied where there's a tie on one or more rankings.
- The alphabetical order will apply where point 1 & 2 above fail to break the tie.

3.3.2 Rotation

- The work will be allocated according to the approved ranking from highest to lowest.
- The allocation will be subjected to capacity, availability and complexity.

3.3.3 Quotation

- The IDC's fixed rate will apply to all panellists (**Refers to Annexure 9**)

3.3.4 Monitoring and Performance Management

- Performance reviews will be conducted quarterly to ensure adherence to the SLA.

3.4 The IDC would also like to promote broad based transformation and development of small and medium firms in this industry and as such will appoint firms in the following firm categories. The bidder must indicate, in the table below, with a **tick (✓) the relevant category:**

Firm Categories	Definition	PLEASE TICK (✓)
-----------------	------------	-----------------

Category 1: Small Firms	Firm with an annual turnover of not more than R10 million	
Category 2: Medium Firms	Firm with an annual turnover greater than R10 million but below R50 million	
Category 3: Large Firms	Firm with an annual turnover greater than R50 million	

Note: The bidder must submit their latest annual financial statements as proof of their annual turnover as confirmed by an independent accountant. Small businesses with no financial history, must submit a letter from their independent accounting firm confirming their financial status and / or projections.

It is for this purpose that the IDC will be using different evaluation criteria for the small and medium sized law firms as depicted in section 2 (A) of this document and a different set of evaluation criteria applicable to large law firms as depicted in section 2(B) of this document.

Important Note: Bidders bidding for labour law must, in addition to the relevant requirements of this tender, also provide a detailed response to the labour requirements of the IDC as depicted in section 2 (C) irrespective of whether they are a small, medium or large firm.

4. PROJECT TIMELINES

The appointment of the service provider(s) will be on an as and when required for a period of five (5) years, effective immediately after the signing of the SLA, subject to an annual review of the service provider's performance.

SECTION 2 (A) TECHNICAL REQUIREMENTS APPLICABLE TO SMALL AND MEDIUM SIZED LAW FIRMS

5. TECHNICAL EVALUATION CRITERIA SMALL AND MEDIUM SIZED LAW FIRMS

5.1. Mandatory Technical Requirements

The service provider must indicate their compliance/ non-compliance to the following requirements and to substantiate as required. The bidder must respond in the format below, where additional information is provided/ attached somewhere else; such information must be clearly referenced

5.1.1 REGISTRATION WITH LEGAL PRACTICE COUNCIL	Comply	Not Comply
The firm and the individual attorneys must be registered with the Legal Practice Council. Proof of registration of the <u>firm and individual attorneys</u> from the relevant Legal Practice Council must be provided. Note: Bidders may be required to submit a valid letter of good standing issued by the Legal Practice Council prior to work being allocated.		
Substantiate / Comments		

5.1.2 FIDELITY FUND INSURANCE	Comply	Not Comply
The firm of attorneys must provide proof of the Fidelity Fund insurance cover and in addition the individual director/ partner/ attorney/s to attend to IDC's matters must provide a certified copy of a valid Fidelity Fund certificate.		
Substantiate / Comments		

5.1.3 CONVEYANCING CERTIFICATE	Comply	Not Comply
For firms applying for the <u>category of conveyancing</u>, a certificate of admission as a conveyancer of the <u>individual conveyancer employed on a full-time basis</u> by the law firm must be provided.		
Substantiate / Comments		

5.2. Other Technical Requirements (Small and Medium Sized Firms)

The bidder must indicate its compliance / non-compliance to the requirements and should substantiate its response in the space provided below. If more space is required to justify compliance, please ensure that the substantiation is clearly cross-referenced to the relevant requirement.

Note: The IDC will consider bids which best meet its technical requirements and bidders are required to provide relevant and comprehensive information to indicate its compliance with the stated technical requirements.

Bidders must provide the required information for each service category the bidder is bidding for.

5.2.1 Bidder's Relevant Experience	Comply	Partially Comply	Not Comply
The bidder must provide 3 reference/ recommendation letter(s) from a client(s), not older than 6 (six) months from the date of submission, where the bidder recently provided each service category the bidder is bidding for. The bidder must also furnish the IDC with relevant contact details of its key clients for reference check purposes. Please refer to Table (a) of Annexure 1 of this document for the format in which the required information must be provided.			
Substantiate / Comments			

5.2.2 Teams Experience and Qualifications	Comply	Partially Comply	Not Comply
The bidder or lawyers in its current employ must have at least 5 (five) years demonstrable experience in each of the service categories the bidder is bidding for. The bidders must submit, as part of its proposal, the following: • Details of recent transactions/ matters the bidder has handled for each service category. The IDC reserves the right to consider experiences of law firms that have done work for the IDC in the past. Please refer to Table (a) of Annexure 1 of this document for the format in which the required information must be provided; • List of lawyer(s) in the current bidder's employ. Please refer to Table (b) Annexure 1 of this document for the format in which the required information must be provided; and • CVs of the lawyer(s); and the CVs must clearly highlight qualifications, areas of experience/ competence relevant to commercial legal services. Bidders tendering for labour law must <u>in addition to this criterion</u>, also submit the requirements of section 2(C) of this tender for assessment purposes.			
Substantiate / Comments			

5.2.3 MANAGING CONFLICT OF INTEREST	Comply	Partially Comply	Not Comply
Bidders must indicate how conflict of interest is managed and what controls are in place to ensure effectiveness. Bidders must submit its conflict-of-interest policy / written framework which clearly outlines, amongst others, the following: • Its procedures and management of conflict in its particular industry; and • Resolution of conflict of interest to ensure optimal legal advisory services.			
Substantiate / Comments			

SECTION 2 (B) TECHNICAL REQUIREMENTS APPLICABLE TO LARGE SIZED LAW FIRMS

6. TECHNICAL EVALUATION CRITERIA (LARGE SIZED LAW FIRMS)

6.1. Mandatory Technical Requirements

The service provider must indicate their compliance/ non-compliance to the following requirements and to substantiate as required. The bidder must respond in the format below, where additional information is provided/ attached somewhere else; such information must be clearly referenced

6.1.1 REGISTRATION WITH THE LEGAL PRACTICE COUNCIL	Comply	Not Comply
The firm and the individual attorneys must be registered with the Legal Practice Council. Proof of registration of the firm and individual attorneys from the relevant Legal Practice Council must be provided. Note: Bidders may be required to submit a valid letter of good standing issued by the Legal Practice Council prior to work being allocated.		
Substantiate / Comments		

6.1.2 FIDELITY FUND INSURANCE	Comply	Not Comply
The firm of attorneys must provide proof of the Fidelity Fund insurance cover and in addition the individual director/ partner/ attorney/s to attend to IDC's matters must provide a certified copy of a valid Fidelity Fund certificate to be provided.		
Substantiate / Comments		

6.1.3 CONVEYANCING CERTIFICATE	Comply	Not Comply
For firms applying for the <u>category of conveyancing</u> , a certificate of admission as a conveyancer of the <u>individual conveyancer employed on a full-time basis</u> by the law firm must be provided.		
Substantiate / Comments		

6.2. Other Technical Requirements

Bidders must indicate its compliance / non-compliance to the requirements and should substantiate its response in the space provided below. If more space is required to justify compliance, please ensure that the substantiation is clearly cross-referenced to the relevant requirement.

Note: The IDC will consider bids which best meet its technical requirements and bidders are required to provide relevant and comprehensive information to indicate its compliance with the stated technical requirements.

Bidders must provide the required information for each service category that the bidder is bidding for.

6.2.1 Bidder's Relevant Experience	Comply	Partially Comply	Not Comply
The bidder or the partners / directors of the firm must have five (5) years demonstrable experience in the service categories that they are offering. The bidder must provide details of recent transactions/ matters they have handled for <u>each service category</u>. The IDC reserves the right to consider experiences of law firms that have done work for the IDC in the past. Please refer to Table (a) of Annexure 1 of this document for the format in which the required information must be provided. Bidders tendering for labour law must <u>in addition to this criterion</u>, also submit the requirements of section 2(C) of this tender for assessment purposes.			
Substantiate / Comments			

6.2.2 Teams Experience and Qualifications	Comply	Partially Comply	Not Comply
The bidder must have in its current employ lawyers that have at least five (5) years post admission experience in the service categories the bidder is bidding for. The bidders must submit, as part of its proposal, the following: - List of lawyers in the bidder's current employ. Please refer to Table (b) Annexure 1 of this document for the format in which the required information must be provided; and - CVs of the lawyers; and the CVs must clearly highlight qualifications, areas and years of experience/ competence relevant to commercial legal services.			
Substantiate / Comments			

6.2.3 Recommendation/ Reference Letters	Comply	Partially Comply	Not Comply
The bidder must provide 3 (three) reference/ recommendation letters from clients, <u>not older than 6 (six) months</u> from the date of submission, where the bidder recently provided for each service category the bidder is bidding for. The bidder must also furnish the IDC with relevant contact details of its key clients for reference check purposes.			
Substantiate / Comments			

6.2.4 Managing Conflict of Interest	Comply	Partially Comply	Not Comply
Please indicate how the conflict of interest is managed and what controls are in place to ensure effectiveness The bidder must submit its conflict-of-interest policy / written framework which clearly outlines, amongst others, the following: - its procedures and management of conflict in its particular industry; - Resolution of the conflict of interest to ensure optimal legal advisory services.			
Substantiate / Comments			

6.2.5 SKILLS TRANSFER PLAN TO NEWLY QUALIFIED LEGAL PROFESSIONALS FROM PREVIOUSLY DISADVANTAGED GROUPS IN SOCIETY	Comply	Partially Comply	Not Comply
The IDC intends promoting the transformation of the legal field through inclusive development of newly qualified legal professionals. Bidders are required to indicate their commitment to assist the IDC through this tender / contract by indicating its plans to support this objective of the IDC. Please indicate your detailed commitment plan in this regard.			
Substantiate / Comments			

**SECTION 2 (C) LABOUR LAW REQUIREMENTS (APPLICABLE TO ALL FIRMS WHO
TENDER FOR THE LABOUR LAW CATEGORY)**

In addition to the Technical Requirements applicable to small, medium and large firms as referenced in Sections 2 A and B, bidders tendering for the Labour law category should also respond to the requirements listed hereunder.

7. LABOUR LAW REQUIREMENTS FOR ALL FIRMS

7.1 Teams Experience and Qualifications	Comply	Partially Comply	Not Comply
Bidders must demonstrate relevant experience of at least five (5) years post admission in providing legal advisory services in labour relations matters which may include the following:			
1. Provision of general labour related advice, legal opinions or related services including but not limited to: - Changing labour law employment legislation and its potential impact (e.g. Basic Conditions of Employment Act, Labour Relations Act and Employment Equity Act etc.); - Represent the employer at arbitrations, mediations, the Labour Courts and other administrative hearings; - Handling grievance and disciplinary and arbitration hearings; - Workplace discipline and counselling; - Preside over disciplinary and grievance hearings and also act as initiators/prosecutors at hearings; and - Dealing with dismissals for misconduct, incapacity and operational requirements matters under section 189 of the Labour Relations Act.			
2. Drafting of relevant labour related documentation including but not limited to: Employment contracts, disciplinary codes, grievance procedures and collective agreements.			
3. Provision of specific labour related advice, legal opinions or related services as it relates to collective bargaining, union related matters, where applicable			
4. Provision of labour relations training as and when required			
5. Litigation relating to labour law matters			
Bidders must provide details of recent matters handled by the bidder as it relates to the above categories 1-5. Please refer to Table (a) of Annexure 1 of this document for the format in which the required information must be provided.			
Substantiate / Comments			

SECTION 3: ANNEXURES

ANNEXURE 1: RESPONSE FORMAT FOR SECTION 2**Bidder's Experience and the proposed Project Team**

Request for Proposal No: _____

Name of Bidder: _____

Authorised signatory: _____

[Note to the Bidder: The bidder must complete the information set out below in response to the requirements stated in Section 2 of this bid document. If the bidder requires more space than is provided below it must prepare a document in substantially the same format setting out all the information referred to below and return it with this Returnable Schedule 3.]

The bidder must provide the following information for **EACH OF THE SERVICE CATEGORY** the bidder is bidding for:

Table (a) – Details of the bidder's current and past relevant experience in the service categories the bidder is bidding for (please refer to Section 2 par 5.2.1, 5.2.2, 6.2.1 & 7.1)

Service Category	Client's Full Legal Name	Transaction / Matter Handled	Estimated Contract Cost)	Transaction period (Start and End Dates)	Description of service performed and extent of Bidder's responsibilities	Name, position and telephone contact (office number) of Client's representative

Table (b) – Details of the bidder’s proposed team of lawyers (please refer to Section 2 par 5.2.2 & 6.2.2):

[illegible]

ANNEXURE 2: ACCEPTANCE OF BID CONDITIONS AND BIDDER'S DETAILS

Request for Proposal No: _____

Name of Bidder: _____

Authorised signatory: _____

Name of Authorised Signatory _____

Position of Authorised Signatory _____

By signing above the bidder hereby accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on him/her under this RFP.

[Note to the Bidder: The Bidder must complete all relevant information set out below.]

CENTRAL SUPPLIER DATABASE (CSD) INFORMATION

Bidders that are registered on the Central Supplier Database (CSD) of National Treasury are required to submit as part of this proposal both their CSD supplier number and CSD unique registration reference numbers below:

Supplier Number	
------------------------	--

BIDDING STRUCTURE

Indicate the type of Bidding Structure by marking with an 'X':	
Individual Bidder	
Joint Venture/ Consortium	
Prime Contractor with Sub Contractors	
Other	

REQUIRED INFORMATION

If Individual Bidder:	
Name of Company	
Registration Number	
Vat registration Number	
Contact Person	
Telephone Number	
Cellphone Number	
Fax Number	
Email address	
Postal Address	
Physical Address	

If Joint Venture or Consortium, indicate the following for each partner:	
Partner 1	
Name of Company	
Registration Number	
Vat registration Number	
Contact Person	
Telephone Number	
Cellphone Number	
Fax Number	
Email address	
Postal Address	
Physical Address	
Scope of work and the value as a % of the total value of the contract	
Partner 2	

Name of Company	
Registration Number	
Vat registration Number	
Contact Person	
Telephone Number	
Cellphone Number	
Fax Number	
Email address	
Postal Address	
Physical Address	
Scope of work and the value as a % of the total value of the contract	

If bidder is a Prime Contractor using Sub-contractors, indicate the following:	
Prime Contractor	
Name of Company	
Registration Number	
Vat registration Number	
Contact Person	
Telephone Number	
Cellphone Number	
Fax Number	
Email address	
Postal Address	
Physical Address	
Sub-contractors	
Name of Company	
Company Registration Number	
Vat registration Number	
Contact Person	
Telephone Number	
Cellphone Number	
Fax Number	
Email address	
Postal Address	
Physical Address	
Subcontracted work as a % of the total value of the contract	

ANNEXURE 3: TAX COMPLIANCE REQUIREMENTS

1. TAX COMPLIANCE REQUIREMENTS		
1.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS. 1.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VIEW THE TAXPAYER'S PROFILE AND TAX STATUS. 1.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) OR PIN MAY ALSO BE MADE VIA E-FILING. IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA. 1.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS TOGETHER WITH THE BID. 1.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE PROOF OF TCS / PIN / CSD NUMBER. 1.6 WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.		
2. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS		
2.1 IS THE BIDDER A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? ☐ YES ☐ NO 2.2 DOES THE BIDDER HAVE A BRANCH IN THE RSA? ☐ YES ☐ NO 2.3 DOES THE BIDDER HAVE A PERMANENT ESTABLISHMENT IN THE RSA? ☐ YES ☐ NO 2.4 DOES THE BIDDER HAVE ANY SOURCE OF INCOME IN THE RSA? ☐ YES ☐ NO IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN, IT IS NOT A REQUIREMENT TO OBTAIN A TAX COMPLIANCE STATUS / TAX COMPLIANCE SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 1.3 ABOVE.		
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:	

ANNEXURE 4: BIDDER'S DISCLOSURE

1. PURPOSE OF THE FORM

Any person (natural or juristic) may make an offer or offers in terms of this invitation to bid. In line with the principles of transparency, accountability, impartiality, and ethics as enshrined in the Constitution of the Republic of South Africa and further expressed in various pieces of legislation, it is required for the bidder to make this declaration in respect of the details required hereunder.

Where a person/s are listed in the Register for Tender Defaulters and / or the List of Restricted Suppliers, that person will automatically be disqualified from the bid process.

2. BIDDER'S DECLARATION

2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest ¹ in the enterprise, employed by the state? **YES/NO**

2.1.1 If so, furnish particulars of the names, individual identity numbers, and, if applicable, state employee numbers of sole proprietor/ directors / trustees / shareholders / members/ partners or any person having a controlling interest in the enterprise, in table below.

Full Name	Identity Number	Name of State institution

2.2 Do you, or any person connected with the bidder, have a relationship with any person who is employed by the procuring institution? **YES/NO**

2.2.1 If so, furnish particulars:

.....
.....

2.3 Does the bidder or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest in the enterprise have any interest in any other related enterprise whether or not they are bidding for this contract?

YES/NO

2.3.1 If so, furnish particulars:

.....
.....

3 DECLARATION

I, the undersigned, (name)..... in submitting the accompanying bid, do hereby make the following statements that I certify to be true and complete in every respect:

3.1 I have read, and I understand the contents of this disclosure;

3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;

¹ the power, by one person or a group of persons holding the majority of the equity of an enterprise, alternatively, the person/s having the deciding vote or power to influence or to direct the course and decisions of the enterprise.

- 3.3 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 consortium² will not be construed as collusive bidding.
- 3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 3.4 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.
- 3.5 There have been no consultations, communications, agreements, or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.
- 3.6 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.

I CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 1, 2 and 3 ABOVE IS CORRECT.

I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 6 OF PFMA SCM INSTRUCTION 03 OF 2021/22 ON PREVENTING AND COMBATING ABUSE IN THE SUPPLY CHAIN MANAGEMENT SYSTEM SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....
Signature

.....
Date

.....
Position

.....
Name of bidder

² 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.

ANNEXURE 5: SHAREHOLDERS AND DIRECTORS INFORMATION

[Note to the bidder: the bidder must complete the information set out below. If the bidder requires more space than is provided below it must prepare a document in substantially the same format setting out all the information referred to below and return it with Returnable Schedule 2.]

1 Shareholders/ Members

Name of the shareholder	ID Number	Race	Gender	% Shares

Note: The bidder must also attach the detailed Company/ Group Structure where relevant.

2 Trust Information

With reference to point 8.6 IDC Rights, should a trust form part of the Company / Group structure then the following must be submitted as part of your proposal.

Documents necessary to verify the Identity of a Trust	☐ Copy of trust deed or other founding document by which trust is created.
	☐ Letters of authority (as issued by the Master of the High Court)
	☐ Personal details of each Trustee, each Beneficiary, the Founder, and the person authorised to act on behalf of the Trust

3 Black Shareholders/ Members as per the B-BBEE Certificate

Name of the shareholder	ID Number	Race	Gender	% Shares
Total Black Shareholding % as per the current and valid B-BBEE Certificate				

4 Directors

Name of the shareholder	ID Number	Race	Gender

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

CERTIFY THAT THE INFORMATION FURNISHED ABOVE IS CORRECT.

.....
Signature

.....
Date

.....
Position

.....
Name of bidder

ANNEXURE 6: BEE COMMITMENT PLAN

The IDC encourages existing vendors and prospective bidders to support the objectives of B-BBEE and as far as possible strive to improve their B-BBEE contribution status. For bid evaluation purposes, bidders are allocated points in terms of a preference point system based on the Specific Goals which requires the bidder to have a valid B-BBEE certificate or a sworn affidavit in case of a EME or QSE.

Bidders are therefore required to submit a B-BBEE improvement plan in view of the new B-BBEE Codes of Good Practice. Bidders must indicate the extent to which their ownership, management control, employment equity, preferential procurement and enterprise development will be maintained or improved over the contract period in the event that they are successful in this bid process.

ANNEXURE 7: DISCLOSURE STATEMENT

In terms of the tender condition 8.6, which allows the IDC to conduct background checks on bidders and its shareholders and directors, the IDC hereby requires bidders to provide the following additional information:

1. The IDC considers the integrity of its appointed service providers to be of critical importance. The IDC reserves the right to apply its objective criteria to award to any bidders whose integrity, based on past conduct (during the 5 years immediately preceding the bid submission date), it considers questionable.
2. To this end, the IDC requires each bidder to include in its bid, a disclosure statement which details the following (sufficient information and supporting documentation for the IDC to make its own assessment as to the materiality or seriousness of allegations regarding the bidder's integrity or conduct): any criminal charges made against the bidder or any of its directors, shareholders, or management officials regarding their professional conduct;
 - 2.1. any civil proceedings initiated against the bidder or any of its directors, shareholders, or management officials regarding their professional conduct; and
 - 2.2. any other enquiry or similar proceedings initiated or threatened against the bidder or any of its directors, shareholders, or management officials regarding their professional conduct.
3. Where the bidder is a consortium, the disclosure statement referred to in paragraph 2.2 above must be made separately in respect of each consortium partner.
4. In the event that the bidder's circumstances change, after submission of its bid, regarding any matter referred to in paragraph 2.2 above or in regard to any matter referred to in its disclosure statement, the bidder must submit a written notification to IDC indicating the nature and extent of such changed circumstances.
5. The IDC reserves the right to seek such additional information from any bidder, in respect of the disclosure statement referred to in paragraph 2.2 above, as it may, in its sole discretion, determine, whether such information has been requested under this RFP or otherwise, and may require the bidder to make oral presentations for clarification purposes or to present supplementary information, in respect of the disclosure statement if so required by the IDC.
6. Based on its own assessment of the contents of the bidder's disclosure statement and any publicly available information which is relevant to the contents of such disclosure statement, the IDC will decide whether the bidder's conduct or any allegations relating thereto pose a risk, reputational or otherwise, to the IDC; and if it reaches an adverse conclusion the IDC will in its sole discretion have the right not to award a contract or order.

SIGNED

DATE

(Print name of signatory)

Designation

FOR AND ON BEHALF OF:

COMPANY NAME

Tel No

Fax No

Cell No

ANNEXURE 8: PRIVACY & PROTECTION OF PERSONAL INFORMATION ACT 4 OF 2013 REQUIREMENTS

Request for Proposal No:	
Name of Bidder:	
Authorised signatory:	

Protecting personal information is important to the Industrial Development Corporation (IDC). To do so, IDC follows general principles in accordance with applicable privacy laws and the Protection of Personal Information Act 4 of 2013 (POPIA).

IDC's role as a responsible party, is amongst others to process personal information for the intended purpose for which it was obtained and in line with legal agreements with its respective/ prospective clients, third parties, suppliers, and operators.

Who is an Operator? A person or body/ entity which processes personal information for the IDC in terms of a contract or mandate.

Who is a Supplier? a natural or juristic person that provides a product or renders a service to the IDC. A supplier could also be considered as an operator, an independent responsible party or (together with IDC) a joint responsible party.

If the supplier or business partner provides IDC with its related persons' personal information, the supplier or business partner warrants that the related persons are aware of and have consented to the sharing and processing of their personal information with/by IDC. IDC will process the personal information of related persons as stated under a contractual agreement or as required by any related legislation.

Examples of the personal information of the supplier or business partner where relevant may include (but are not limited to): financial information, including bank statements provided to the IDC; invoices issued by the supplier or business partner; the contract/ legal agreement between the IDC and the supplier or business partner; other identifying information, which includes company registration numbers, VAT numbers, tax numbers and contact details; marital status and matrimonial property regime (e.g. married in community of property); nationality; age; language; date of birth; education; financial history; identifying numbers (e.g. an account number, identity numbers or passport numbers); email address; physical address (e.g. residential address, work address or physical location); information about the location (e.g. geolocation or GPS location); telephone numbers; online and other unique identifiers; social media profile/s; biometric information (like fingerprints, facial recognition signature; race; gender; sex; criminal history).

Example of Special personal information is personal information about the following: · criminal behaviour, or any proceedings in respect of any offence allegedly committed by a data subject or the disposal of such proceedings; religious and philosophical beliefs; trade union membership; political beliefs; health, including physical or mental health, disability, and medical history; or biometric information (e.g. to verify identity).

RESPONSIBILITIES OF SUPPLIERS AND BUSINESS PARTNERS WHO ARE OPERATORS UNDER POPIA

Where a supplier or business partner, in terms of a contract or mandate, processes personal information for the IDC and is considered an operator of the IDC, the supplier or the business partner will be required to adhere to the obligations set out in the IDC data privacy or POPIA policy. This policy sets out the rules of engagement in relation to how personal information is processed by suppliers and business partners on behalf of the IDC as well as the minimum legal requirements that IDC requires the suppliers and business partners to adhere to, including compliance with POPIA as summarised in the below table.

ITEM	GUIDING CONDITIONS FOR PROCESSING PERSONAL INFORMATION	YES	NO
1.	Accountability The respective clients, third parties, suppliers and operators and its members will ensure that the provisions of POPIA, the guiding principles outlined in the policy and all the measures that give effect to such provisions are complied with at the time of the determination of the purpose and means of the processing and during the processing itself. In the event that an employee of the IDC or any person acting on behalf of the corporation who through their intentional or negligent actions and/or omissions fail to comply with the principles and responsibilities outlined, proper corrective measures will be applied.	Yes ☐	No ☐
2.	Processing Limitation The respective clients, third parties, suppliers and operators and their members will ensure that information is only processed for the justifiable reason and processing is compatible with the purpose of the collection.	Yes ☐	No ☐
3.	Purpose Specification All respective clients, third parties, suppliers and operators and their members will process personal information only for specific, explicitly defined, and legitimate reasons. The respective clients, third parties, suppliers and operators will inform IDC of reasons prior to collecting or recording their PI.	Yes ☐	No ☐
4.	Further Processing Limitation Personal information will not be processed for a secondary purpose unless that processing is compatible with the original purpose. Thus, where the respective clients, third parties, suppliers and operators seek to process personal information it holds for a purpose for which it was originally collected, and where this secondary purpose is not compatible with the original purpose, respective clients, third parties, suppliers and operators will first obtain additional consent from the IDC.	Yes ☐	No ☐
5.	Information Quality The respective clients, third parties, suppliers and operators will take reasonable steps to ensure that all personal information collected is complete, accurate and not misleading. Where PI is collected or received from third parties, the respective clients, third parties, suppliers and operators will take reasonable steps to confirm that the information is correct by verifying the accuracy of the information directly with the data subject or by way of independent sources.	Yes ☐	No ☐
6.	Open Communication Reasonable steps will be taken by the respective clients, third parties, suppliers and operators to ensure that the IDC is notified of the purpose for which the information is being collected, used, and processed.	Yes ☐	No ☐
7.	Security Safeguards It is a requirement of POPIA for responsible parties, business partners and operators to adequately protect personal information. IDC will need to review suppliers or business partner security controls and processes to ensure that personal Information is compliant with the conditions of the lawful processing of personal information as set out in the POPIA. This would be continuous monitoring and review that will be conducted by the IDC at its discretion.	Yes ☐	No ☐
8.	Data Subject Participation A data subject whose PI has been collected, stored, and processed by the respective clients, third parties, suppliers and operators must have communication channels to attend to may request for the correction or deletion of such information.	Yes ☐	No ☐

I, _____ (print name) hereby certify that the information, facts, and representations are correct and that I am duly authorized to sign on behalf of the company.

Name of Company/ Entity: _____

Company/ Entity Registration Number: _____

Company/ Entity VAT Registration Number: _____

Signature (Company/ Entity Representative)

Date

ANNEXURE 9: CONTRACT FEES/RATES FOR THE PANEL T30/08/25

Legal Advisor / Attorney Levels	Level 1	Level 3	Level 3	Level 4	Level 5
Years of Experience	> 15 years post article experience	> 10 years to 15 years post article experience	> 5 years to 10 years post article experience	less than 5 years post article experience	Candidate Attorney
Please indicate the proposed hourly tariffs for the following service types for each indicate Level.					
1. TAKING INSTRUCTIONS / OPENING FILE / CONSULTATIONS, INCLUDING READING ALL DOCUMENTS: <u>MAXIMUM ALLOWABLE = 4 HOURS.</u>					
Hourly rate excluding VAT	R4 500.00	R4 000.00	R3 500.00	R2 500.00	R1 500.00
2. LEGAL OPINIONS / PLEADINGS / CONSULTATIONS / PRE-TRIAL / INSPECTION IN LOCO / PREP FOR TRIAL / INTERLOCUTORY APPLICATIONS					
Hourly rate excluding VAT	R4 500.00	R4 000.00	R3 500.00	R2 500.00	R1 500.00
3. CORRESPONDENCE					
Drafting a letter (excluding legal opinions) – 30 minutes	R900.00	R800.00	R700.00	R500.00	R300.00
Drafting a letter (excluding legal opinions) – 1 hour (maximum allowable)	R2 250.00	R2 000.00	R1 750.00	R1 250.00	R750.00
4. TELEPHONE CALLS – excluding consultations					
Cost of calls made and received – 5 minutes	R250.00	R215.00	R187.50	R137.50	R87.50
Cost of calls made and received – 10 minutes	R500.00	R430.00	R375.00	R275.00	R175.00
Cost of calls made and received – 15 minutes	R750.00	R650.00	R562.50	R412.50	R262.50
Cost of calls made and received – 20 minutes	R1 000.00	R860.00	R750.00	R550.00	R350.00

Legal Advisor / Attorney Levels	Level 1	Level 3	Level 3	Level 4	Level 5
Years of Experience	> 15 years post article experience	> 10 years to 15 years post article experience	> 5 years to 10 years post article experience	less than 5 years post article experience	Candidate Attorney
Please indicate the proposed hourly tariffs for the following service types for each indicate Level.					
Cost of calls made and received – 25 minutes	R1 250.00	R1 080.00	R937.50	R687.50	R437.50
Cost of calls made and received – 30 minutes	R1 500.00	R1 300.00	R1 1250.00	R825.00	R525.00
4. TRAVEL					
	AA Rates / Uber Charges	AA Rates / Uber Charges	AA Rates / Uber Charges	AA Rates / Uber Charges	AA Rates / Uber Charges
5. COPIES					
R4.50 per page					
6. LABOUR LAW PRACTITIONERS – same as above					
7. OTHER SERVICE COSTS I.E. CONVEYANCE SERVICES AND FEES TO BE PROVIDED AND RATED PER HOUR / DELIVERABLE					

Hourly rate to be increased annually by CPI effective 1 April of the subsequent year (a revised schedule with updated rates will be furnished in the month of March).