

THE PUBLIC SERVICE SECTOR EDUCATION TRAINING AUTHORITY

Terms of Reference

APPOINTMENT OF A SERVICE PROVIDER TO PROVIDE CIVIL LITIGATION SERVICES IN THE MAGISTRATE'S COURT

RFP NUMBER 2021/001502

CLOSING DATE:

CLOSING TIME:

1. INTRODUCTION

The Public Service Sector Education and Training Authority (PSETA) is a Sector Education and Training Authority (SETA) established in terms of section 9(1) of the Skills Development Act 97 of 1998 as amended and is classified as a National Public Entity under schedule 3A of the Public Finance Management Act, 1 of 1999.

2. OBJECTIVES OF THE ASSIGNMENT

- 2.1. The PSETA was served with civil summons issued by the Magistrate's Court for the District of Tshwane, on behalf of the Plaintiff named Reginah Chitlango for a sum of R34 111.85 together with costs and other charges to be determined at the end of the action.
- 2.2. Therefore, the PSETA seeks to appoint a legal service provider to act for, represent the PSETA and protect its interests in the envisaged civil action at court.

3. SCOPE OF WORK/SPECIFICATION

- 3.1. The scope of work covers the following:
 - 3.1.1. Consultation with the relevant officials at the PSETA;
 - 3.1.2. Preparation, Issuing, Serving and Filling a Notice Appearance to Defend;
 - 3.1.3. Preparation, Issuing, Serving and Filling any court process;
 - 3.1.5. Representing the PSETA during trial should the matter proceed to trial until its conclusion;
 - 3.1.6 Taxation of bills of costs and recovery of legal costs from any party where applicable;
 - 3.1.7. Assisting the PSETA with any interlocutory matters arising in the case; and

3.1.8. Providing any other legal advisory service in connection with this matter that the PSETA may require.

4. PROJECT DELIVERABLES

- 4.1. The successful service provider will perform the duties and functions of an attorney and act on behalf of the PSETA;
- 4.2. The successful service provider will provide any other legal advisory service that the PSETA may require, in connection with this matter;
- 4.4. The Service Provider will report directly to the PSETA Corporate Services Executive, or any other delegated representative, as and when required;
- 4.5. The Service Provider will prepare and submit bills and statements of accounts to the PSETA in accordance with the applicable determination of the Scale of Costs of the Magistrate's Court (Civil) and recover such costs from the any which may be liable for such costs.

5. COMPETENCIES AND SKILLS SET REQUIRED

- 5.1. The service provider should meet the following requirements:
 - 5.1.1. The service provider must be a practicing law firm of Attorneys in good standing with the Legal Practice Council ("the LPC");
 - 5.1.2. An excellent and proven track record in civil matters;
 - 5.1.3. Sound knowledge of the Magistrate's Court Procedure and Rules as well as other practice notes applicable to the jurisdiction of the magistrate's court for the district of Tshwane Central;
 - 5.1.5. The allocated professional that will be appointed to handle the litigation behalf of the PSETA ("the allocated professional") should be an admitted

attorney, with a minimum of 5 years post admission experience at a minimum of mid-senior associate level.

5.1.6. The allocated professional should not be under suspension nor undergoing disciplinary action by the Legal Practice Council.

6. TIME FRAME

- 6.1. The duration of the contract will be from the date of appointment of the service provider until the conclusion of the litigation;
- 6.2. The total budgeted hours for the service by the service provider should be capped at 100 hours to be reviewed from time to time where necessary;
- 6.3. The PSETA reserves the right to terminate the contract to be entered into with the appointed service provider, for any unsatisfactory performance, however such terms shall be governed by the service-level agreement to be entered into between the PSETA and the successful bidder.

7 . COSTING

- 7.1 A bill of costs or statement of account must be submitted as and when certain stages in the litigation are reached such as close of pleadings discovery and trial stages. The bill of costs or statement of account must include prescribed costs according to applicable scales, professional fees and disbursements (i.e. travel expenses etc plus VAT).
- 7.2 The PSETA may require a breakdown of rates on any of the items charged such as professional fees and disbursements and the PSETA reserves the right to negotiate the price.

8 PROPOSAL EVALUATION AND APPOINTMENT OF SERVICE PROVIDER

The proposals will be evaluated on the 80/20 principle with 80 points being allocated for price and 20 points allocated for specific goals once the minimum functionality criteria are met. The evaluation will be based on:

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		Points
Price		80
Special goals		20
Black owned company Bidder who has 51% to 100% black people ownership	8	
Women Bidder who has 51% to 100% women ownership	4	
Youth Bidder who has 51% to 100% youth ownership	5	
Disability Bidder who has 51% to 100% disability ownership	3	
Total		100

9 FORMAT OF THE BID SUBMISSION

9.1. Proposals must be submitted electronically.

9.2. Submission of all applicable documents as indicated below:

- 9.2.1. Certified copies of the director's ID's document (in order claim points for disability as per SBD 6.1);
- 9.2.2. Certified copy of BB-BEE certificate or sworn affidavit;
- 9.2.3. Valid Tax compliance status (TCS) PIN or proof of exemption from SARS;
- 9.2.4. Copy of the registration document of the organisation (CIPC);
- 9.2.5. Copy of the Central Supplier Database registration;
- 9.2.5 Certificate of Good Standing from the Legal Practice Council; and
- 9.2.6. Documents indicating experience in providing services as an attorney in civil litigation in the magistrate's court.

10. IMPORTANT MANDATORY INFORMATION FOR BIDDERS

- 10.1. All Standard Bidding documents (SBD) documents must be completed and signed;
 - 10.1.1. SBD 1 (All sections must be fully completed);
 - 10.1.2. SBD 4 (All sections must be fully completed);
 - 10.1.3. SBD 6.1(All sections must be fully completed);
 - 10.1.4. Proof of registration on Central Supplier Database;
 - 10.1.5. General Conditions of Contract (All pages must be signed or initialled);
 - 10.1.6. Bidders should have proven experience in Civil Litigation in the Magistrate's Court;
 - 10.1.7. FAILURE TO SUBMIT ANY DOCUMENTS REQUESTED UNDER THIS SECTION WILL DISQUALIFY THE BIDDER and;
 - 10.1.8 FAILURE TO SIGN OR INITIAL ALL PAGES OF THE GENERAL CONDITIONS OF CONTRACT WILL DISQUALIFY THE BIDDER.

NB: Please note that failure to submit documents requested in section 10 will render the proposal disqualified.

12 October 2026

