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45 Mooi Street
Johannesburg
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Tel: (011) 372 3300

EASTERN CAPE

Waverley Office Park
3 - 33 Philip Frame Road
Chiselhurst
East London, 5200
Tel: (043) 726 8314
Fax: (043) 726 8302

FREE STATE

Motheo TVET College
National Artisan Academy
R657+P3, Ehrlich Park
Bloemfontein, 9312
Tel: (051) 430 5072
Fax: (051) 430 5080

GAUTENG

112 Main Street
9th Floor
Marshalltown
Johannesburg CBD
Tel: (011) 403 1301/2/3/6
Fax: (086) 614 8781

KWAZULU-NATAL

Kent House
1 Neptune Road
Westville
Durban, 3629
Tel: (031) 304 5930
Fax: (031) 301 9313

LIMPOPO

89B Biccard Street
Polokwane
0700
Tel: (015) 295 9303
Fax: (015) 295 9301

MPUMALANGA

Streak Office Park
6 Streak Street
Block B, 1st Floor
Nelspruit, 1201
Tel: (087) 352 7108
Fax: (013) 752 2917

NORTHERN CAPE

Montrio Corporate Park
Monument Heights
10 Oliver Road
Kimberly
Tel: (053) 832 0051/ 2
Fax: (053) 832 0047

NORTH WEST

Sparkling Office Park
78 Retief Cnr Peter
Mokaba Street
Potchefstroom, 2531
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WESTERN CAPE

Sunbel Building
2 Old Paarl Road
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Belville, 7530
Tel: (021) 946 4022
Fax: (021) 946 4043

RFQ NO: 04 -2026/27

REQUEST FOR QUOTATIONS

TERMS OF REFERENCE FOR THE APPOINTMENT OF LEGAL PRACTITIONERS (LAW FIRMS, ATTORNEYS, INCLUDING FIDELITY FUND ADVOCATES)

1. INTRODUCTION

The Education Training and Development Practices Sector Education and Training Authority (ETDP SETA) is a public entity established in terms of Section 9(1) of the Skills Development Act, No 97 of 1998 to advance skills levels in accordance with the National Skills Development Strategy III. The Mandate of the ETDP SETA is to promote and facilitate the development and improvement of the skills profile of the sector's workforce in order to benefit employers, workers and employees in the Education Training and Development Sector.

The ETDP SETA will host ***Non-Compulsory*** virtual briefing session for **RFQ NO: 04 - 2026/27 – Appointment of legal practitioners (Law firms, Attorneys and fidelity fund advocates) on 19 June 2026 at 11h00 – 13h00**. Access details will be available on www.etdpseta.org.za as from **18 June 2026**. Kindly note that interested service providers may submit their questions until **22 June 2026 at 16h30**. **No further questions will be accepted after this date**. We thank you for your cooperation.

2. PURPOSE & OBJECTIVES

2.1. PURPOSE OF THE PROJECT

ETDP SETA is currently seeking to appoint diverse legal service providers to provide legal services as and when required in order to supplement its internal legal service unit with providers that will be available to handle broader legal matters and issues that cannot be handled internally due to many considerations around operational matters of the organization.

The objective of this bid is to appoint Service Providers to provide a range of variety of legal services and solutions on an "as and when required" basis throughout the duration of the project period.

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3. SCOPE OF WORK

3.1. The services required by Legal are *inter alia* but not limited to the following:

- 3.1.1. Vetting and reviewal of contractual documents.
- 3.1.2. Conducting necessary research in order execute instructions relating to legal matters.
- 3.1.3. Provision of legal opinions on various legal topics.
- 3.1.4. Drafting of letters of demand
- 3.1.5. Debt recovery and collection processes
- 3.1.6. Drafting, Serving and Filing of Pleadings in initiation of litigation or in defence of litigation
- 3.1.7. Perusal of Pleadings, Summons and Particulars or Statements of Claim served to the organisation when litigated against.
- 3.1.8. Serving and filing legal documents (motion and action, including urgent applications) involved in litigious matters.
- 3.1.9. Attending to consultations (telephonic and face to face)
- 3.1.10. Attending to Offices of Deputy Sheriffs, Respondents, Defendants, Courts to serve and file relevant documents.
- 3.1.11. Representation in various Courts of Law.
- 3.1.12. Representation at arbitration and in related tribunals
- 3.1.13. Drafting, Serving and Filing of appeals, petitions and notices of leave to appeal (where necessary).
- 3.1.14. Briefing of counsel and attendance of consultations and or court with Counsel, and consulting witnesses, including taking instructions and scheduling consultations with ETDP SETA officials and meetings with opponent Attorneys through its Legal and Compliance Business Unit.
- 3.1.15. Preparation and Taxation of Bills
- 3.1.16. Facilitate and/or follow up on criminal cases open by or against the organisation.

4. COSTING MODEL (PRICING SCHEDULE)

COSTS FOR PROVISION OF VARIOUS DIVERSE LEGAL SERVICES

This costing model must not be modified at all and if retyped (for each year of service and level of seniority for legal practitioners to be utilised or legal services to be provided) all line items in order as stated below should be included.

SCOPE OF WORK COSTING REQUIREMENTS			
PROVINCE: HEAD OFFICE – GAUTENG			
NAME OF BIDDING ORGANISATION:			
DESCRIPTION OF SERVICES TO BE RENDERED: <i>(Year 1 and Year 2)</i>			
ITEM DESCRIPTION	AVERAGE RATE PER HOUR*	AVERAGE RATE PER DAY	FLAT RATE OR COLLAPSED FEE
Level or Seniority of Attorney: i.e. Director, Senior Associate, Associate or Professional Assistant			
Representation in High and Labour Court.			
Reviewing and vetting of contractual documents and Service Level Agreements			
Perusal, drafting, responding to legal documents/affidavits/pleadings and serving of documents			
Representation at arbitration and in related tribunals			
Preparation and Taxation of Bills			
Telephone Consultation			
Face to Face Consultation			
Provision of legal opinions (Per folio or Page): Please indicate			
Postage and Receivables (Please indicate) e.g. email sending, receiving, printing, perusal.			
Subsistence and Travel Tariffs (Per kilometre)			
SUB- TOTAL			
Admin Expenses (<i>Disbursements and other incidental expenses</i>)			
TOTAL COSTS			
Escalation Rate (Percentage Per Annum)			
ALL COSTS MUST BE INCLUSIVE OF VAT			

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NB: A day is reckoned with a total of eight hours (8) of active work and appearances and consultations are measured from an average minimum rate of 15 minutes upwards per transaction and drafting is measured in terms of the ability to draft no less than one hundred (100) words per fifteen (15) minutes. Collapsed fee rate measures a reasonable amount that would be levied in the event the matter does not last the whole day or full eight hours as anticipated due to the collapsing of the roll. The above table can be duplicated and modified when costing services for subsequent years.

The above costing table must be reproduced to enable easy assessment of rates for each level of seniority for each legal practitioner even if rates may be the same i.e. Associate v Professional Assistant or Partners v Senior Director or Director

NAME OF BIDDER: _____

POSITION/ ROLE: _____

SIGNATURE: _____

All pricing shall be in South African Rand (ZAR).

*** EVALUATION WILL BE BASED ON THE TOTAL AVERAGE RATE PER HOUR**

5. DURATION OF THE PROJECT

The successful service provider will be required to enter a formal contract with the ETDP SETA by signing a Service Level Agreement (SLA) in line with the Government Conditions of Contract (“GCC”). The contract will become effective on the date of last signature and will be initiated through a commencement meeting between the two parties.

The duration of the contract is for a period not exceeding **two (2) years or twenty-four months (24) months** effective from **the date of last signatory on the Service Level Agreement, provided that the period outside the Medium-Term Expenditure Framework (MTEF) or Medium-Term Development Plan (MTDP) shall be subject to further budget approval.**

6. METHOD OF SUBMISSION

All Documents for Stage 1 (Administrative requirements), Stage 2: Phase A (Mandatory Requirements), Stage 2: Phase B (Functionality Evaluation), and Stage 3 (Pricing & Specific Goals) must be submitted in electronic format via email to etdpsetarfq@etdpseta.org.za

There must be three folders covering the following stages:

Folder A: Stage 1: Administrative Requirements

Folder B: Stage 2: Phase A: Mandatory Requirements
: Phase B: Functionality Evaluation Requirements

Folder C: Stage 3: Price and Specific Goal

It is the responsibility of the bidder to ensure that all relevant documents are included to ensure efficient evaluation of its proposal. ETDP SETA will not take any responsibility for any missing information in the submissions.

7. EVALUATION CRITERIA

The evaluation criteria for the assessment of the proposals will be based on both qualitative and financial aspects of the proposal. Service Providers will be evaluated on functionality. The bidders that score points which equal to or exceed the minimum threshold provided on functionality will further be evaluated on price and specific goals.

The Bid documents will be evaluated individually on a score sheet, by a representative of the evaluation panel according to the evaluation criteria indicated in the Terms of Reference.

THE ETDP SETA applies the provisions of the Preferential Procurement Policy Framework Act, ACT NO 5 OF 2000 and Preferential Procurement Regulations, 2022. The evaluation will be guided by ETDP SETA procurement policy.

7.1. STAGE 1: Administrative Compliance [Folder A]

Bidders will be evaluated on the submission of the requested administrative documents. Fully completed and signed forms with witnesses' signature must be submitted and all applicable boxes be ticked.

Description	Comply/Submitted
Completion of all SBD Forms: <ul style="list-style-type: none"> • SBD 1 - Invitation to Bid • SBD 4 - Declaration of Interest 	
Completion in full of the General Conditions of Contract (GCC)	
Submit a <i>"Unique security personal identification number (PIN) issued by SARS"</i> which the SETA will use to verify the bidder's tax matters prior to the award	

7.2. STAGE 2 – PHASE A_MANDATORY REQUIREMENTS [Folder B]

Mandatory Requirement	Method of Evaluation
7.2.1.Submission of the following documents	i. Proof of or Confirmation letter for registration with the Companies and Intellectual Property Commission ("CIPC"). ii. Proof of law firm or individual (in case of a Fidelity Fund Advocate) being registered with the Legal Practice Council ("LPC") iii. Company Profile for the law firm and its Legal Practitioners, especially those presented for this project or Individual Profile (in case of a Fidelity Fund Advocate Bidder) iv. Joint Venture Agreement or any Formal Agreement (If Advocate is an in-house Counsel) v. Letter of Good Standing from the Legal Practice Council (All Attorneys in the Project) vi. Proof of Trust Account (Not Current Account) for the Law Firm or Fidelity Fund Advocate vii. Complete Fidelity Fund Certificate (As issued by the LPC) for each Legal Practitioner operating a trust account. i.e. first page bearing the name of the Legal Practitioner and second page bearing the name of the associated law firm or chambers or society for the Fidelity Fund Advocate viii. Letter of Good Standing from the compensation fund for the law firm ("COIDA Letter") clearly stating the nature of business or services the entity is involved in i.e. Legal Services or Professional Services. COIDA will not be required if the firm employs one Legal Practitioner or if the bidder is a Fidelity Fund Advocate.

NB: Failure to fully complete and submit any of the above-requested mandatory documents will lead to disqualification

NB: Failure to fully complete and submit any of the above-requested mandatory documents or failure to comply with the requirements indicate above in whole will lead to disqualification. Also, failure to comply with requirements below will result in maximum points not being awarded, but those that are indicated next to each evaluation criteria

7.3. STAGE 2 - PHASE B_FUNCTIONALITY [Folder B]

- a. The minimum qualifying score for functionality will be **80 points** and bids that fail to achieve the minimum qualifying score will be eliminated.
- b. Only bids that achieved the minimum qualifying score/ percentage for functionality will be evaluated further in accordance with the 80/20 preference point systems prescribed in Preferential Procurement Regulations 5 and 6.

The evaluation criteria for functionality will be as below:

NO	QUALIFYING CRITERIA FOR SHORT LISTING	Method of evaluation	POINTS
1.	<p>Proof and experience of similar services and references to be provided. The maximum of three contactable references = 30</p> <p>1.1. Contactable references provide signed proof on referee's company letterhead (15)</p> <p>1.2. Experience in the business of providing similar services (labour litigation, commercial litigation, administrative law litigation and civil litigation) (15)</p> <p>Each reference must clearly indicate:</p> <ul style="list-style-type: none"> • the name of the bidder and the project • objectives of the project (nature of the project) • duration of the project and indication of satisfaction with quality of services • recommendation and confirmation of completed project(s) and • must be signed the referee <p>NB: If any of this information is omitted/missing will lead to the reference letter(s) not allocated points.</p>	<ul style="list-style-type: none"> • 3 Contactable references • 2 Contactable references • 1 Contactable reference <ul style="list-style-type: none"> ○ 10 years or more ○ 5 - 9 years ○ Less than 5 years 	<p>15</p> <p>10</p> <p>05</p> <p>15</p> <p>10</p> <p>0</p>

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2.	<p>Success rate of commercial litigation, administrative law litigation, general civil litigation and labour litigation handled in the last 2 years, list of 5 legal matters to be submitted with 100% success rate= 25</p> <p>NB: Case Numbers of Citations must be provided for all matters, where judgments are available, they can also be attached to the Bid, especially if they are unreported. Matters must be done by the Law Firms and Not Referral Advocates, unless the Bidder is a Fidelity Fund Advocate</p>	<ul style="list-style-type: none"> • 5 Legal matters submitted 25 • 4 Legal matters submitted 20 • 3 Legal matters submitted 15 • 2 Legal matters submitted 10 • 1 Legal matter submitted 05 • 0 Legal matter submitted 00 	
3.	<p>Qualifications, Admission and Experience of team members and CV; (Attach Qualifications and CVs of the Project Team Members)</p> <p>3.1. QUALIFICATION AND ADMISSION: 45</p> <p>3.1.1. Admitted Attorneys = 20</p> <p>3.1.2. Qualifications = 20</p> <p>3.1.3. Experience of Engagement Manager or Project Manager or Lead Attorney(s): 5</p> <p><i>*Note: The project team submitted for this bid will remain the same team for the duration of the term. Should there be any changes, the ETDP SETA shall be informed of any new project team members and of whether the new team members have the same qualifications and experience or better qualifications than the old project team members. Article experience shall not be considered.</i></p>	<ul style="list-style-type: none"> • Admitted Attorney 20 • NQF level 10 Qualification (LLD) 20 • NQF level 9 Qualification (LLM) 15 • NQF level 8 Qualification (Honours Degree) 10 • 5 years or more 5 • Less than 5 years 0 	
TOTAL			100

Bidders must provide documents to justify awarding the above points, and such include details of different contactable references to validate the information submitted.

Points will be awarded on a sliding scale

Please take note of the value and scoring point system of your bid.

7.4. STAGE 3 [Folder B (USB)]

PRICING SCHEDULE DOCUMENTS

- a. Costing Model (*Price must be final, include VAT and signed*)
- b. **SBD 6.1** - Preferential Points Claim Form in terms of the Preferential Procurement Regulations, 2022
- (If claiming preferential points) - this will be used to verify points to be allocated for specific goals

80/20 preference point system shall be applicable as follows:

- | | |
|--------------------------------|-----------|
| ✓ Price | 80 |
| ✓ Allocation of specific goals | 20 |

Note: The evaluation shall consider the top Six (6) bidders with the highest total points (based on pricing and specific goals)

In order to facilitate a transparent selection process that allows equal opportunity to all service providers, the ETDP SETA will adhere to its policy on the appointment of service providers

8. BID CONDITIONS

The ETDP SETA Supply Chain Management Policy will apply:

1. ETDP SETA does not bind itself to appoint a bidder with the highest points.
2. ETDP SETA reserves the right to negotiate the bidder's price.
3. ETDP SETA reserve the right to cancel the bid and not award the bid to any of the bidders.
4. Bids which are late, incomplete, unsigned **will NOT** be accepted.
5. Bidders must submit a valid certified B-BBEE Certificate from SANAS Accredited Verification Agency or issued by Companies and Intellectual Property Commission (**CIPC**) or a signed Sworn Affidavit for allocation of points for specific goals.
6. Specific goals shall not be allocated where supportive documents as stated in the bid documents are not provided as stated in the bid document.
7. Bids submitted are to hold good for a period of **120 days**.
8. Companies who bid as a joint venture must submit a **consolidated B-BBEE Verification certificate prepared for this bid only**, from **SANAS Accredited Verification Agency** to be eligible for empowerment points. Companies who form part of this joint venture **MUST** provide an accreditation certificate with relevant authority as stated in Mandatory documents.
9. Failure on the part of a bidder to submit proof of B-BBEE Status level of contributor, affidavit or a B-BBEE Certificate, together with the bid, will be interpreted to mean that points for specific goals for B-BBEE status level of contribution are not claimed.
10. Deregistered and blacklisted companies including directors/owners/individuals linked to the company will not be considered. Due diligence will be conducted with successful bidders to validate submitted information.
11. All suppliers must be registered on the Central Supplier Database. No bid shall be awarded to any supplier that is not registered on the Central Supplier Database.
12. Companies that are in the process of de-registration in the CIPC will not be considered.
13. The ETDP SETA remains the sole owner and custodian of all content, material, or any other form of development. No information of or on behalf of the ETDP SETA may be shared, during the duration or after the closing period of the project. It remains the responsibility of the appointed service provider to hand over all material to the ETDP SETA. Should a service provider wish to have the ETDP SETA as a referral, permission for this must be sought.

9. DISCLAIMER

Protection of Personal Information Act 4 of 2013 (POPIA) and Promotion of Access to Information Act 2 of 2000 (PAIA) Disclaimer

1. *By submitting your proposal, you grant the necessary consent as you acknowledge that:*
 - *ETDP SETA treats data it gathers and personal information it collects, holds and/or processes as private.*
2. *Therefore:*
Your right to privacy and security is very important to us. The ETDP SETA as a responsible party treats personal information of data subjects as private and confidential. To that end, we collect personal

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information for the purposes set out in this document or otherwise the specific purpose(s) communicated to you.

3. We may also use your information for a number of different purposes, for example to fulfil our legal and regulatory obligations of the SETA.
4. For more detailed information on how and why we may use your information, including the rights in relation to your personal data, and our legal grounds for collection, processing and using it, please view the ETDP SETA Protection of Personal Information Policy and Promotion of Access to Information Manual on our website: www.etdpseta.org.za "ETDP SETA PAIA Manual and POPIA Manual"

10. BID DOCUMENTS/ PROPOSAL PACKS

Bid documents for participation will be available on national treasury e-portal and our website. Documents **must** be downloaded from the ETDP SETA website: www.etdpseta.org.za , Main Menu > Supply Chain Management > Open RFQs as from **12h00** on **10 June 2026**.

All Proposals **must be Sent via email to** etdpsetarfq@etdpseta.org.za

Submissions must be sent **BEFORE** the closing date and time of **11h00** on **01 July 2026**.

No late submission will be accepted!

11. CLOSING DATE

All Proposals should reach the ETDP SETA Offices on or before **11h00** on **01 July 2026**.

12. CONTACT PERSON

NO telephonic or any other form of communication relating to this bid will be permitted with any other ETDPSETA member of staff either by Bidders (as collective bidding team or individual of the bidding team), representative of Bidders, associates of Bidders, shareholders of Bidders, other than with the named individual stated below. ANY MEANS OF ATTEMPTING TO INFLUENCE THE ADJUDICATION PROCESS OR OUTCOMES OF THE ADJUDICATION PROCESS WILL RESULT IN IMMEDIATE DISQUALIFICATION OF THE ENTIRE BID. All enquiries regarding this bid must be in writing only and be directed to:

Supply Chain Management: Email: Tenderers@etdpseta.org.za

Note: Struck off Legal Practitioners or Legal Practitioners not Registered on the Roll of the LPC, as well as Blacklisted companies appearing on the National Treasury database and prohibited from conducting business with public entities, will be disqualified.

ANNEXURE A

Bidders are required to provide references for Engagement Manager(s), Project Manager(s) or Lead Attorney(s). Failure to provide references will lead to no points being allocated.

1. Relevant experience for the Engagement Manager or Project Manager or Legal Attorney(s)

Engagement Manager/ Project Manager or Lead Attorney:

Name and Surname(s) _____

Project/Company Name	Position/Role	Responsibilities	Start date	End date	Reference (Name & Surname)	Reference (Position)	Reference (Contact details)

Attorneys on the Company Records: (This should match the company profile indicating the Legal Practitioner Reported herein)

Name and Surname(s) _____

Company Name	Position/Role	Responsibilities	Start date	End date	Reference (Name & Surname)	Reference (Position)	Reference (Contact details)

NB: The above tables may be duplicated, recreated or modified to suite as many as the number of people involved the bidder may require.