



NGAKA MODIRI MOLEMA DISTRICT MUNICIPALITY

BID DESCRIPTION: APPOINTMENT OF PANEL OF NOT MORE THAN TWENTY (20) SPECIALISED ATTORNEYS FOR A PERIOD OF THREE (03) YEARS.

BID NUMBER: NMMDM 23/24/16 CSS

TENDER SUBMITTED BY (DIRECTOR) :

NAME OF BIDDING COMPANY:.....

BUSINESS ADDRESS:

.....

.....

TEL. / CELL NUMBER :

E-MAIL ADDRESS :

ISSUED BY:

Municipal Manager
Ngaka Modiri Molema District Municipality
Private Bag X 2167
Mahikeng
2745
Tel: (018) 381 9400

CLOSING DATE: 19 APRIL 2024 @ 11H00AM

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NGAKA MODIRI MOLEMA DISTRICT MUNICIPALITY



APPOINTMENT OF A PANEL OF NOT MORE THAN TWENTY (20) SPECIALISED ATTORNEYS FOR A PERIOD OF THREE (03) YEARS ON AS AND WHEN REQUIRED BASIS

TENDER NO: NMMDM 23/24/16 CSS

INVITATION TO BID

Prospective service providers are hereby invited to bid for the APPOINTMENT OF A PANEL OF NOT MORE THAN TWENTY (20) SPECIALISED ATTORNEYS FOR A PERIOD OF THREE YEARS ON AS AND WHEN REQUIRED BASIS.

Detailed bid documents are obtainable from www.etenders.gov.za / www.nmmdm.gov.za/tenders

Tenders completed as prescribed shall be sealed in an envelope marked "**BID NO: NMMDM 23/24/16 CSS – APPOINTMENT OF A PANEL OF NOT MORE THAN TWENTY (20) SPECIALISED ATTORNEYS FOR A PERIOD OF THREE (03) YEARS ON AS AND WHEN REQUIRED BASIS**" and deposited in the bid box at Ngaka Modiri Molema District Municipality, Cnr Carrington and 1st Avenue, Industrial Sites, Mahikeng, to reach its destination not later than **19 APRIL 2024 AT 11H00AM** when tenders shall be opened in public.

Bids will be adjudicated based on the Preferential Procurement Regulations 2022 using compliance, functionality and 80/20 points system.

The validity period for this tender is 90 days.

Any enquiries regarding the bidding procedure may be directed to Mr P. Tauetsile / Ms B. Mokate / Ms T. Manyeneng (018) 381 9400, e-mail tauetsilep@nmmdm.gov.za / mokateb@nmmdm.gov.za / manyenengt@nmmdm.gov.za

Any enquiries regarding technical information may be directed to Mr Kabo Pulenyane 0183819400, e-mail pulenyanekb@nmmdm.gov.za

SIGNED.
O.A LOSABA
MUNICIPAL MANAGER

PART A INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF MUNICIPALITY/ MUNICIPAL ENTITY)

BID NUMBER:		CLOSING DATE:	
DESCRIPTION			

THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (MBD7).

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

SUPPLIER INFORMATION

NAME OF BIDDER			
POSTAL ADDRESS			
STREET ADDRESS			
TELEPHONE NUMBER	CODE	NUMBER	
CELLPHONE NUMBER			
FACSIMILE NUMBER	CODE	NUMBER	
E-MAIL ADDRESS			
VAT REGISTRATION NUMBER			
TAX COMPLIANCE STATUS	TCS PIN:	OR	CSD No:
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]	ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER PART B:3]
TOTAL NUMBER OF ITEMS OFFERED		TOTAL BID PRICE	R
SIGNATURE OF BIDDER	DATE	
CAPACITY UNDER WHICH THIS BID IS SIGNED			
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:		TECHNICAL INFORMATION MAY BE DIRECTED TO:	
DEPARTMENT		CONTACT PERSON	
CONTACT PERSON		TELEPHONE NUMBER	
TELEPHONE NUMBER		FACSIMILE NUMBER	
FACSIMILE NUMBER		E-MAIL ADDRESS	
E-MAIL ADDRESS			

PART B TERMS AND CONDITIONS FOR BIDDING

1. BID SUBMISSION:	
1.1.	BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
1.2.	ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED (NOT TO BE RE-TYPED) OR ONLINE
1.3.	THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT AND THE PREFERENTIAL PROCUREMENT REGULATIONS THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.
2. TAX COMPLIANCE REQUIREMENTS	
2.1	BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
2.2	BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VIEW THE TAXPAYER'S PROFILE AND TAX STATUS.
2.3	APPLICATION FOR THE TAX COMPLIANCE STATUS (TCS) CERTIFICATE 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.
2.4	FOREIGN SUPPLIERS MUST COMPLETE THE PRE-AWARD QUESTIONNAIRE IN PART B:3.
2.5	BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
2.6	IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
2.7	WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS	
3.1.	IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? <input type="checkbox"/> YES
	<input type="checkbox"/> NO
3.2.	DOES THE ENTITY HAVE A BRANCH IN THE RSA? <input type="checkbox"/> YES
	<input type="checkbox"/> NO
3.3.	DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? <input type="checkbox"/> YES
	<input type="checkbox"/> NO
3.4.	DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? <input type="checkbox"/> YES
	<input type="checkbox"/> NO
3.5.	IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? <input type="checkbox"/> YES
	<input type="checkbox"/> NO
IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 ABOVE.	

**NB: FAILURE TO PROVIDE ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.
NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE.**

SIGNATURE OF BIDDER:

CAPACITY UNDER WHICH THIS BID IS SIGNED:

DATE:

LIST OF RETURNABLE DOCUMENTS

1. Proof of Central Suppliers Database (CSD) registration
2. C.K Document
3. Certified ID copies (of not more than three months) of company directors
4. Certified copies must have a date of certification and should be not older than 3 months as at the close of the tender. (Should the copy not have the date of certification the tender will be regarded as non-responsive)
5. Only original stamp and signature will be accepted.
6. Copy of a certified document will be considered non responsive.
7. A signed Joint Venture Agreement (In case of a Joint Venture)
8. Recent Statement of Municipal rates and taxes or municipal service charges of every Director Listed on the C.K Document not older than three months from the date issued (the address that appears on the rates statement must correspond to the address on the CSD)
9. Recent Statement of Municipal rates and taxes or municipal service charges of the Company (Bidder) not older than three months from the date issued.
10. Should a Company (Bidder) Lease a property, the lease agreement will replace the requirement on (11).
11. Should Directors be residing in rural areas, Letter from Tribal Authority confirming your stay in that Area (the address that appears in the letter from Tribal Authority must correspond to the address on the CSD)
12. Should the Director not be responsible for rates and taxes but residing in an area where there is Municipal Services offered, the director should submit the Original Affidavit from South African Police Service Confirming as such.
13. Should the Company (Bidder) be operating from the Same Address as the Director, An affidavit confirming such should be submitted.
14. Requirements should be submitted for J.V based on their applicability.
15. Three Years Audited Annual Financial Statements
16. A valid Letter of Good Standing from Legal Practise Council
17. Valid Fidelity Fund Certificate for Partnership applicable
18. Soft copy of the entire document including returnable saved in a USB. **(Failure to submit the soft copy will result in a disqualification)**
19. Should any of the returnable documents stated not be attached to this bid document, your bid will be declared invalid.

BID REQUIREMENTS

- 1.** Late bids will not be considered. Please note that bids are late if they are received after the closing date and time.
- 2.** Bids will be valid for 90 days.
- 3.** All prices must be quoted in South African currency and must be VAT Inclusive.
- 4.** All items must be priced, failure to price all items will render your bid non-responsive.
- 5.** All relevant forms attached to this bid document must be completed and signed in black ink where applicable by a duly authorised official. Use of tipex and pencil will not be acceptable.

NGAKA MODIRI MOLEMA DISTRICT MUNICIPALITY

SIGNATORY AUTHORISATION

(To be completed by the Bidder)

SIGNATORY AUTHORISATION

I/We the undersigned, am/are authorized to enter into this contract on behalf of

(Name of Firm)

By virtue of resolution dated -----day of -----20-----
(Month)

The certified copy of resolution that is herewith attached to this Bid.

AS WITNESSES:

1.
(Initials and Surname in full) Signature

Firm/Company's Name:
.....
.....

Physical Address:
.....
.....

2.
(Initials and Surname in full) Signature

Firm/Company's Name:
.....
.....

Physical Address:
.....
.....

NGAKA MODIRI MOLEMA DISTRICT MUNICIPALITY

DECLARATION OF INTEREST

1. No bid will be accepted from persons in the service of the state*.
2. Any person, having a kinship with persons in the service of the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid. In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons connected with or related to persons in service of the state, it is required that the bidder or their authorised representative declare their position in relation to the evaluating/adjudicating authority and/or take an oath declaring his/her interest.
3. In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.
 - 3.1 Full Name:
 - 3.2 Identity Number:
 - 3.3 Position occupied in the Company (director, trustee, shareholder).....
 - 3.3 Company Registration Number:.....
 - 3.5 Tax Reference Number:
 - 3.6 VAT Registration Number:
 - 3.7 The names of all directors / trustees / shareholder members, their individual identity numbers and state employee numbers must be indicated in paragraph 4 below.
 - 3.8 Are you presently in the service of the state*
YES/NO

* MSCM Regulations: "in the service of the state" means to be –

- (a) a member of –
 - (i) any municipal council;
 - (ii) any provincial legislature; or
 - (iii) the national Assembly or the national Council of provinces;
- (b) a member of the board of directors of any municipal entity;
- (c) an official of any municipality or municipal entity;
- (d) an employee of any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No.1 of 1999);
- (e) a member of the accounting authority of any national or provincial public entity; or
- (f) an employee of Parliament or a provincial legislature.

3.8.1 If so, furnish particulars:

3.9 Have you been in the service of the state for the past twelve months?
YES/NO

3.9.1 If so, furnish particulars:

3.10 Do you, have any relationship (family, friend, other) with persons in the service of the state and who may be involved with the evaluation and or adjudication of this bid? **YES/NO**

3.10.1 If so, furnish particulars:

.....
.....

3.11 Are you, aware of any relationship (family, friend, other) between any bidder and any persons in the service of the state who may be involved with the evaluation and or adjudication of this bid? **YES/NO**

3.11.1 If so, furnish particulars:

.....
.....

3.12 Are any of the company's directors, managers, principle shareholders or stakeholders in service of the state? **YES/NO**

3.12.1 If so, furnish particulars:

.....

3.13 Are any spouse, child or parent of the company's directors Managers, principle shareholders or stakeholders in service of the state? **YES/NO**

3.13.1 If so, furnish particulars:

.....

3.14 Do you or any other of the directors, Managers, principle shareholders or stakeholders of this company have any interest in any other related companies or business whether or not they are bidding for this contract? **YES/NO**

3.14.1 If so, furnish particulars:

.....

4. Full details of directors / trustees, members / shareholders.

Full Name	Identity Number	State Employee Number

I, THE UNDERSIGNED (NAME)

.....

CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM IS CORRECT.

I ACCEPT THAT THE STATE MAY ACT AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

DECLARATION FOR PROCUREMENT ABOVE R10 MILLION (ALL APPLICABLE TAXES INCLUDED)

For all procurement expected to exceed R10 million (all applicable taxes included), bidders must complete the following questionnaire:

**1 Are you by law required to prepare annual financial statements for auditing?
*YES / NO**

1.1 If yes, submit audited annual financial statements for the past three years or since the date of establishment if established during the past three years.

.....
.....

**2 Do you have any outstanding undisputed commitments for municipal services towards any municipality for more than three months or any other service provider in respect of which payment is overdue for more than 30 days?
*YES / NO**

2.1 If no, this serves to certify that the bidder has no undisputed commitments for municipal services towards any municipality for more than three months or other service provider in respect of which payment is overdue for more than 30 days.

2.2 If yes, provide particulars.

.....
.....
.....
.....

*** Delete if not applicable**

3 Has any contract been awarded to you by an organ of state during the past five years, including particulars of any material non-compliance or dispute concerning the execution of such contract?

***YES / NO**

3.1 If yes, furnish particulars

.....
.....

4. Will any portion of goods or services be sourced from outside the Republic, and, if so, what portion and whether any portion of payment from the municipality / municipal entity is expected to be transferred out of the Republic? *YES / NO

4.1 If yes, furnish particulars

.....
.....

CERTIFICATION

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

CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM IS CORRECT.

I ACCEPT THAT THE STATE MAY ACT AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

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

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

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

1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to invitations to tender:
 - the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included)

1.2 To be completed by the organ of state
 (delete whichever is not applicable for this tender).

- a. The applicable preference point system for this tender is the 80/20 preference point system.
- b. 80/20 preference point system will be applicable in this tender. The lowest acceptable tender will be used to determine the accurate system once tenders are received.

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

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

1.4 To be completed by the organ of state:

The maximum points for this tender are allocated as follows:

	POINTS
PRICE	80
SPECIFIC GOALS	20
RACE (BLACK) [AS PER BBBEE ACT AND HISTORICALLY DISADVANTAGED INDIVIDUALS (HDI)] = 2	
GENDER (WOMEN) = 2	
YOUTH = 2	
DISABILITY = 2	
MILITARY VETERANS = 2	
LOCALITY = 10	
[DISTRICT = 10]	
[PROVINCE = 5]	

[NATIONAL = 3]	
Total points for Price and SPECIFIC GOALS	100

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

2. DEFINITIONS

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

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1 POINTS AWARDED FOR PRICE

3.1.1 THE 80/20 PREFERENCE POINT SYSTEMS

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

80/20

$$Ps = 80 \left(1 - \frac{Pt - Pmin}{Pmin} \right)$$

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmin = Price of lowest acceptable tender

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

3.2.1 POINTS AWARDED FOR PRICE

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

$$P_s = 80 \left(1 + \frac{P_t - P_{max}}{P_{max}} \right) \text{ or } P_s = 90 \left(1 + \frac{P_t - P_{max}}{P_{max}} \right)$$

Where

- Ps = Points scored for price of tender under consideration
 Pt = Price of tender under consideration
 Pmax = Price of highest acceptable tender

4. POINTS AWARDED FOR SPECIFIC GOALS

4.1 In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/ documentation stated in the conditions of this tender:

4.2 In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—

- a. an invitation for tender for income-generating contracts, that the 80/20 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or
- b. any other invitation for tender, that the 80/20 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system,

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

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

(Note to organs of state: Where either the 90/10 or 80/20 preference point system is applicable, corresponding points must also be indicated as such.)

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

The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (80/20 system)

		(To be completed by the tenderer)
RACE (BLACK) [AS PER BBBEE ACT AND HISTORICALLY DISADVANTAGED INDIVIDUALS (HDI)]	2	
GENDER (WOMEN)	2	
YOUTH	2	
DISABILITY	2	
MILITARY VETERANS	2	
LOCALITY [WITHIN DISTRICT = 10] [WITHIN NW PROVINCE = 5] [NATIONAL = 3]	10	

DECLARATION WITH REGARD TO COMPANY/FIRM

3.1. Name of company/firm.....

3.2. Company registration number:

3.3. TYPE OF COMPANY/ FIRM

- Partnership/Joint Venture / Consortium
 - One-person business/sole propriety
 - Close corporation
 - Public Company
 - Personal Liability Company
 - (Pty) Limited
 - Non-Profit Company
 - State Owned Company
- [TICK APPLICABLE BOX]

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

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
- iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –

- (a) disqualify the person from the tendering process;
- (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
- (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
- (d) recommend that the tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and

forward the matter for criminal prosecution, if deemed necessary.

..... SIGNATURE(S) OF TENDERER(S)	
SURNAME AND NAME:
DATE:
ADDRESS:

CONTRACT FORM - RENDERING OF SERVICES

THIS FORM MUST BE FILLED IN DUPLICATE BY BOTH THE SERVICE PROVIDER (PART 1) AND THE PURCHASER (PART 2). BOTH FORMS MUST BE SIGNED IN THE ORIGINAL SO THAT THE SERVICE PROVIDER AND THE PURCHASER WOULD BE IN POSSESSION OF ORIGINALLY SIGNED CONTRACTS FOR THEIR RESPECTIVE RECORDS.

PART 1 (TO BE FILLED IN BY THE SERVICE PROVIDER)

1. I hereby undertake to render services described in the attached bidding documents to (name of the institution)..... in accordance with the requirements and task directives / proposals specifications stipulated in Bid Number..... at the price/s quoted. My offer/s remain binding upon me and open for acceptance by the Purchaser during the validity period indicated and calculated from the closing date of the bid.

2. The following documents shall be deemed to form and be read and construed as part of this agreement:
 - (i) Bidding documents, viz
 - Invitation to bid;
 - Proof of tax compliance status;
 - Pricing schedule(s);
 - Filled in task directive/proposal;
 - Preference claim form for Preferential Procurement in terms of the Preferential Procurement Regulations;
 - Declaration of interest;
 - Declaration of Bidder's past SCM practices;
 - Certificate of Independent Bid Determination;
 - Special Conditions of Contract;
 - (ii) General Conditions of Contract; and
 - (iii) Other (specify)

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

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

5. I declare that I have no participation in any collusive practices with any bidder or any other person regarding this or any other bid.

6. I confirm that I am duly authorised to sign this contract.

NAME (PRINT)

CAPACITY

SIGNATURE

NAME OF FIRM

DATE

WITNESSES	
1
2
- - -

CONTRACT FORM - RENDERING OF SERVICES

PART 2 (TO BE FILLED IN BY THE PURCHASER)

1. I..... in my capacity as..... accept your bid under reference numberdated.....for the rendering of services indicated hereunder and/or further specified in the annexure(s).
2. An official order indicating service delivery instructions is forthcoming.
3. I undertake to make payment for the services rendered in accordance with the terms and conditions of the contract, within 30 (thirty) days after receipt of an invoice.

DESCRIPTION OF SERVICE	PRICE (ALL APPLICABLE TAXES INCLUDED)	COMPLETION DATE	TOTAL PREFERENCE POINTS CLAIMED	POINTS CLAIMED FOR EACH SPECIFIC GOAL

4. I confirm that I am duly authorised to sign this contract.

SIGNED AT ON

NAME (PRINT)

SIGNATURE

OFFICIAL STAMP

WITNESSES

1

2

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

1. This Municipal Bidding Documents must form part of all bids invited.
2. It serves as a declaration to be used by municipalities and municipal entities in ensuring that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system.
3. The bid of any bidder may be rejected if that bidder, or any of its directors have:
 - a. abused the municipality's / municipal entity's supply chain management system or committed any improper conduct in relation to such system;
 - b. been convicted for fraud or corruption during the past five years;
 - c. wilfully neglected, reneged on or failed to comply with any government, municipal or other public sector during the past five years;
 - d. been listed in the Register for Tender defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act(no 12 of 2004).
4. **In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**

Item	Question	Yes	No
4.1.	Is the bidder or any of its directors listed on the National Treasury's database as a company or person prohibited from doing business with the public sector? (Companies or persons who are listed on this database were informed in writing of this restriction by the National Treasury after the <i>audi alteram partem</i> rule was applied)	<input type="checkbox"/>	<input type="checkbox"/>
4.1.1	If so, furnish particulars		
4.2.	Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)? (To access this Register enter the National Treasury's website, www.treasury.gov.za, click on the icon "Register for Tender Defaulters" or submit your written request for a hard copy of the Register to facsimile number (012) 326 5445).	<input type="checkbox"/>	<input type="checkbox"/>
4.2.1	If so, furnish particulars		
4.3.	Was the bidder or any of its directors convicted by a court of law (including a court of law outside the Republic of South Africa) for fraud or corruption during the past five years?	<input type="checkbox"/>	<input type="checkbox"/>

Item	Question	Yes	No
4.3.1	If so, furnish particulars		
4.4.	Does the bidder or any of its directors owe any municipal rates and taxes or municipal charges to the municipality / municipal entity, or to any other municipality / municipal entity, that is in arrears for more than three months?	<input type="checkbox"/>	<input type="checkbox"/>
4.4.1	If so, furnish particulars		
4.5	Was any contract between the bidder and the municipality / municipal entity or any other organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	<input type="checkbox"/>	<input type="checkbox"/>
4.5.1	If so, furnish particulars		

CERTIFICATION

I, THE UNDERSIGNED (FULL NAME)

.....
 CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM IS TRUE AND CORRECT.

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

.....
 Signature

.....
 Date

.....
 Position

.....
 Name of Bidder

CERTIFICATE OF INDEPENDENT BID DETERMINATION

- 1 This Municipal Bidding Document (MBD) must form part of all bids¹ invited.

- 2 Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).² Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.

- 3 Municipal Supply Regulation 38 (1) prescribes that a supply chain management policy must provide measures for the combating of abuse of the supply chain management system, and must enable the accounting officer, among others, to:
 - a. take all reasonable steps to prevent such abuse;
 - b. reject the bid of any bidder if that bidder or any of its directors has abused the supply chain management system of the municipality or municipal entity or has committed any improper conduct in relation to such system; and
 - c. cancel a contract awarded to a person if the person committed any corrupt or fraudulent act during the bidding process or the execution of the contract.

- 4 This MBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.

- 5 In order to give effect to the above, the attached Certificate of Bid Determination (MBD 9) must be completed and submitted with the bid:

I, the undersigned, in submitting the accompanying bid:

(Bid Number and Description)

in response to the invitation for the bid made by:

(Name of Municipality / Municipal Entity)

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

I certify, on behalf of: _____ that:

(Name of Bidder)

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

conditions or delivery particulars of the products or services to which this bid invitation relates.

9. The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
10. I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

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

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

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

TERMS OF REFERENCE

1. PURPOSE

The purpose of these terms of reference to assist the law firms to submit proposals for the purpose of being listed on the panel of attorneys to provide wide range of legal services to NMMDM.

2. SCOPE OF WORK

- 2.1.** The successful firms to be enrolled on the panel of attorneys will be required to render services to NMMDM on various legal matters or areas of law relating to, amongst others
- 2.2.** The required legal services is categorised into the following fields:

Service categories	Please tick applicable categories
1. Constitutional and administrative law	
2. Labour Law (collective and employment letters, employment equity, skills development, employee benefits, arbitrations, disciplinary hearings and conciliations)	
3. Corporate Law and Corporate Finance	
4. Pension Fund Law	
5. Application of National Credit Act	
6. Commercial Law (Procurement contract Law and Public, Private Partnership)	
7. Civil litigations	
8. Criminal Law	

The Municipality reserves the right to accept the whole or part of any submission. The Panel will be limited to a number of Twenty (20) Service providers.

SPECIAL CONDITIONS OF CONTRACT

1. EXPERIENCE

It is expected of the attorneys to have at least five (5) years of experience in the legal practice.

2. AVAILABILITY

The Attorney/Legal firm should at all times be available to represent the Municipality and where necessary should inform the Municipality about his or her whereabouts. It will be expected from the attorney /Legal Firm to furnish the Municipality with his or her emergency telephone numbers for the purpose of availability.

3. SPECIALISATION

It is expected from Legal Firms / Attorneys to state areas of specialization as well as their experience in the field of specialization.

4. REGISTRATION WITH THE Legal Practice Council OF SOUTH AFRICA

It is expected that the incumbent is registered as an Attorney / Advocate / Legal Firm with the relevant Legal Practise Council in terms of the Legislation. Proof of registration as well as Fidelity Fund Certificate should be provided

5. BRIEFING OF ADVOCATE

5.1 Before attempting to brief an Advocate, permission should be obtained in writing from the client and in such instance the Municipality reserves the right to recommend a number of Advocates to represent the Municipality

5.2 It is a requirement that before the services of the Advocate are utilised, the Attorney / Advocate / Legal Firm should first get permission of Municipal Manager and must provide the Municipal Manager with a detailed motivation as to such recommendation.

5.3 In matters that are before the Magistrate's court, services of Advocates are not allowed unless there are strict compelling reasons. The same applied to legal opinions.

6. FEES STRUCTURE

Notwithstanding the fact that the fee structure is regulated by legislation, the municipality will not accept unreasonable exorbitant fees. The municipality reserves the right to refer any disputed amount to the Law Society for advice. Further, attorneys/ Advocate / Legal Firms will only be paid for services rendered excluding interest.

7. DURATION

The engagement of an Attorney / Advocate / Legal firm is not based on an indefinite period of time but will be utilized as and when is necessary. That does not give him/her an entitlement to claim or demand that the work should be given to him/her.

The fact that a Legal firm/ Advocate / Attorney is appointed should not be seen as an entitlement or expectation to demand /claim that the work should always be given to them. The allocation of work is dictated by the circumstances as and when it is necessary as well as discretion of the Municipality. The aforementioned services are expected to be rendered for the duration of three (3) years.

8. SUBMISSION OF MONTHLY PROGRESS REPORTS

It is expected from the Attorney /Advocate / Legal Firm appointed to submit progress reports about the matters they are handling as well as the pending matters. The performance of Attorney / Advocate / Legal Firm will be judged against the number of cases successfully defended or finalised in favour of the Council. In the case of Legal Opinions, performance will be judged against the quality, time frames, research and importance of the matter.

Progress reports should be submitted to the Head: Corporate Resources Support Services on monthly basis as and when required.

9. COMPLIANCE WITH LEGISLATION

It is expected from Attorneys / Advocate / Legal Firm appointed by the Municipality to comply with all the policies and the legislation applicable to Republic of South Africa as well as practices and rules governing the Attorneys profession.

10. LETTER OF GOOD STANDING/ COMPLIANCE

It is also expected from the Attorneys to provide a written letter from the recognised Legal Practise Council and SARS certifying that the incumbent complied with all the rules and regulations and that there is no pending investigation that are conducted against the Attorney / Advocate / Legal Firm or individual members of the Legal Firm. Proof of membership and Fidelity Fund certificate should be provided.

11. TIMEOUS FINALISATION OF MATTERS

It is expected from the Attorneys / Advocate / Legal Firm appointed by the Municipality to strive to finalize matters at hand within a reasonable time period of time (21 days). Unnecessary postponements are not allowed. Further, any postponement should be sanction by Head: Corporate resources Support Services.

12. INSTRUCTION/ MANDATE TO ACT ON BEHALF OF THE MUNICIPALITY

Attorneys / Advocate / Legal Firm appointed by the Municipality should ensure that they receive the instructions (in writing) only from either the Manager Advisory Support Services, Head Corporate Resources Support Service and Municipal Manager.

FUNCTIONALITY EVALUATION

For a Legal Firm to qualify it is required that it should score a minimum of **75 points** out of a maximum of **100 points** for functionality evaluation.

No.	CRITERIA	SUB-CRITERIA	POINTS
1.1	COMPANY SPECIALITY	<p>The bidder must have proven record in providing legal services in all the following disciplines:</p> <p>CIVIL LITIGATION (10 Points)</p> <ul style="list-style-type: none"> • General Litigation • Administrative, Public and Constitutional Law with emphasis on Constitutional litigations • Public Procurement Law • Construction Law • Criminal Law <p>LABOUR LITIGATION (10 Points)</p> <ul style="list-style-type: none"> • Labour law and industrial relations dispute • Commercial law, contract law and corporate governance • Pension Fund Law • Public Procurement Law • Application of National Credit Act • Administrative, Public and Constitutional Law with emphasis on Constitutional litigations 	20

<p>1.2</p>	<p>COMPANY EXPERIENCE (Company) / Bidders experience supported by the reference letters:</p> <p>Bidders will be evaluated based on the number of years the company have in providing Legal and/or Labour Litigation Services.</p> <p>The bidder must also submit an originally certified copy of reference letters from current and previous clients where Legal and/or Labour Litigation Services were successfully provided.</p> <p>A letter must be on company letterhead of the referee, signed and stamped.</p> <p>The referees must be contactable.</p>	<ul style="list-style-type: none"> • 5 years or more (30 Points) • 3 years - 4Years & 11 months (20 Points) • 2 years - 2 Years & 11 months (10 Points) • 1 - 1Year & 11 months (5 Points) 	<p>30</p>
<p>1.3</p>	<p>KEY PERSONNEL Director/s or Partner/s (of the firm) years of experience and qualifications (BPROC, BJURIS, LLB and/or BCom Law)</p> <p>NB: Bidder to submit CV's of its Director/s or Partner/s</p>	<p>CIVIL LITIGATIONS</p> <ul style="list-style-type: none"> • 5 years or more (15 Points) • 3 years - 4Years & 11 months (10 Points) • 2 years - 2 Years & 11 months (5 Points) • 1 - 1Year & 11 months (2 Points) <p>LABOUR RELATIONS LITIGATION</p> <ul style="list-style-type: none"> • 5 years or more (15 Points) • 3 years - 4Years & 11 months (10 Points) • 2 years - 2 Years & 11 months (5 Points) • 1 - 1Year & 11 months (2 Points) 	<p>50</p>
	<p>Senior Associate/s years of experience and qualifications (BPROC, BJURIS, LLB and/or BCom Law)</p> <p>NB: Bidders to submit CV's of its Senior Associates</p>	<p>CIVIL LITIGATIONS</p> <ul style="list-style-type: none"> • 5 years or more (6 Points) • 3 years – 4 years & 11 months (4 Points) • 1 - 2Year & 11 months (2 Points) <p>LABOUR RELATIONS LITIGATION</p> <ul style="list-style-type: none"> • 5 years or more (6 Points) • 3 years – 4 years & 11 months (4 Points) • 1 - 2Year & 11 months (2 Points) 	
<p>1.9</p>	<p>Associate/s years of experience and qualifications (BPROC, BJURIS, LLB and/or BCom Law) (Bidders to submit CV's of its Senior Associates)</p>	<p>CIVIL LITIGATION</p> <ul style="list-style-type: none"> • 3 years or more (4 Points) • 1 – 2 years & 11 months (1 Points) <p>LABOUR RELATIONS LITIGATION</p> <ul style="list-style-type: none"> • 3 years or more (4 Points) • 1 – 2 years & 11 months (1 Points) 	
	<p>TOTAL POINTS</p>		<p>100</p>

PRICING SCHEDULE:

A-

CONSULTATION, APPEARANCES, CONFERENCES

ITEM	DESCRIPTION	MAXIMUM RATE (per quarter of an hour or part thereof)
	<p>Consultation with a client and witnesses to institute or to defend an action, for advice on evidence or advise on commission, for obtaining an opinion or an advocate's guidance in preparing pleadings, including exceptions and to –</p>	
1.	<p>Draft a petition or affidavit, per quarter of an hour or part thereof -</p>	
	<p>a. by Partner or Director</p>	
	<p>b. by Senior Associate</p>	
	<p>c. by Associate</p>	
	<p>d. by a candidate attorney</p>	
2.	<p>Consultation to note, prosecute or defend an appeal-</p>	
	<p>a. by Partner or Director</p>	
	<p>b. by Senior Associate</p>	
	<p>c. by Associate</p>	
	<p>d. by a candidate attorney</p>	
3.	<p>Attendance by an attorney in court proceedings in terms of rule 37 of these Rules</p>	
	<p>a. by Partner or Director</p>	
	<p>b. by Senior Associate</p>	
	<p>c. by Associate</p>	
	<p>d. by a candidate attorney</p>	
4.	<p>Attendance by a candidate attorney, where necessary to assist at a contested proceeding</p>	
NOTE	<p>NMMDM shall not be liable for the Candidate Attorney's fees, where the attorney was present at the consultation or in court, unless the matter was complicated and there was a need for candidate attorney assistance, subject to the Senior Manager Legal Services discretion to allow such fees.</p>	
5.	<p>Any conference with an advocate, with or without witnesses, on pleadings, including exceptions and particulars to pleadings, applications, petitions, affidavits and testimony, and on any other matter which the legal advisor may consider necessary</p>	
	<p>a. by Partner or Director</p>	
	<p>b. by Senior Associate</p>	
	<p>c. by Associate</p>	
	<p>d. by a candidate attorney</p>	

6.	Any other conference which the legal advisor may consider necessary -	
	a. by Partner or Director	
	b. by Senior Associate	
	c. by Associate	
	d. by a candidate attorney	
7.	Any inspection in situ, or otherwise	
	a. by Partner or Director	
	b. by Senior Associate	
	c. by Associate	
	d. by a candidate attorney	
8.	Attending to give or take disclosure-	
	a. by Partner or Director	
	b. by Senior Associate	
	c. by Associate	
	d. by a candidate attorney	
9.	Inclusive fee for necessary consultations and discussions with a client, witness, other party or advocate not otherwise provided for -	
	a. by Partner or Director	
	b. by Senior Associate	
	c. by Associate	
	d. by a candidate attorney	
10.	Appearance by an attorney in the High Court or the performance by an attorney of any of the other functions of an advocate, in terms of the Right of Appearance in Courts Act, 1995 (Act 62 of 1995), per quarter of an hour or part thereof	
NOTE	The rates of remuneration in items 1 to 10 do not include time spent travelling or waiting and the legal advisor may, in respect of time necessarily so spent, allow such additional remuneration as he or she in his or her discretion considers fair and reasonable, but NMMDM shall not be liable for travelling expenses for less than 30km radius away from the court or venue. The travelling fees per km shall be determined in terms of the AA tariffs and the AA certificate in this regard shall be attached to the statement of account.	
	DRAFTING AND DRAWING	
11.	The drawing up of a formal statement in any litigation matter, verifying affidavits, affidavits of service or other formal affidavits, index to brief, short brief, statements of witnesses, powers of attorney to sue or defend, as well as other formal documents and summonses, including all documents such as the prescribed forms in the First Schedule to the High Court Rules, but not the particulars of claim in an annexure to the summons: an inclusive tariff- drawing up,	

	checking, typing, printing, copies, delivery and filing thereof , per page of the original only.	
12.	<p>The drawing up of other necessary documents, including –</p> <p>(a) instructions for an opinion, for an advocate’s guidance in preparing pleadings, including further particulars and requests for same, including exceptions;</p> <p>(b) instructions to advocate in respect of all classes of pleadings;</p> <p>(c) a petition, exception or affidavit, any notice (except a formal notice), particulars of claim or an annexure to the summons, opinion by an attorney or any other important document not otherwise provided for, an inclusive tariff- drawing up, checking, typing, printing, copies, delivery and filing thereof, per page of the original only.</p>	
13.	Letters, telegrams and facsimiles: Inclusive tariff for drawing up, checking, typing, printing, delivery, copies, postage, posting thereof, per page.	
14.	Inclusive tariff for drawing up, checking, sending and printing of the email, per page	
NOTE1	Particulars of dispatched letters, telegrams and facsimiles need not be specified in a bill of costs. The number of letters written must be specified, as well as the total amount charged. The legal advisor may inspect the papers should the correctness of the item be disputed.	
NOTE2	Whenever an attorney performs any of the work which should have been performed by an advocate, in terms of the Right of Appearance in Courts Act, 1995 (Act 62 of 1995), the tariff in paragraph 10 above shall apply.	
	C- ATTENDANCE AND PERUSAL	
15.	<p>Attending the receipt, entry, perusing, considering and filing of-</p> <p>(a) any summons, petition, affidavit, pleading, advocate’s advice and drafts, report, important letter, notice or document;</p> <p>(b) any formal letter, record stock sheets in voluntary surrenders, judgments or any other material document not elsewhere specified;</p>	

	(c) any plan or exhibit or other material document which was necessary for the conduct of the action, per page.	
16.	Sorting, arranging and paginating papers for pleadings, advice on evidence or brief on trial or appeal-	
	(a) by Partner or Director	
	(b) by Senior Associate	
	(c) by Associate	
	(d) by a candidate attorney	
NOTE	Particulars of received papers need not be specified in the statement of account. The number of papers and pages received, as well as the total amount charged therefor, must be specified. The legal advisor or any relevant person within NMMDM may inspect the papers received if the correctness of the item is disputed.	
	D- MISCELLANEOUS	
17.	For making necessary copies, including photocopies of any document or papers not already provided for in this tariff, per A4 size page.	
18.	Attending to arrange translation and thereafter to procure same-	
	(a) by Partner or Director	
	(b) by Senior Associate	
	(c) by Associate	
	(d) by a candidate attorney	
19.	Necessary telephone calls per quarter of an hour	
20.	Sending facsimile letter and perusal of fax report, in addition to the fee allowed for the drawing thereof under item B.13 above	
21.	Testimony: Fair and reasonable charges and expenses which in the opinion of the legal advisor were duly incurred in the procurement of the evidence and the attendance of witnesses whose witness fees have been agreed upon prior to engaging such witness.	
	E – STATEMENT OF ACCOUNT	
22.	In connection with the statement of account for services rendered by an attorney, the attorney shall not be entitled to charge a fee for drawing the statement of account	
	F- EXECUTION	
23.	Drafting, issues and execution of a Warrant/Writ of Execution and attendances in connection therewith, excluding sheriffs' fees.	
24.	Reissue of Writ of Execution	
	FEES IN RESPECT OF COMMERCIAL INSTRUCTIONS	

	(Complicated litigation matter and Legal Opinions)	
	ATTORNEYS DAY FEES	
25.	NMMDM shall be liable for the day fee, in respect of attorneys, equivalent, to 8hours, unless the matter run beyond normal working hours.	
26.	Whenever the law firm paired the attorneys to render legal services in respect of a matter, NMMDM shall not be charged duplicate fees in respect of each service rendered. For example, in case two attorneys from the law firm attended consultation, only senior attorney shall charge for consultation.	
	TOTAL RATES	

NB: ESCALATION OF PRICES ON YEAR 2 & 3 BASED ON CPIX PLUS 1% BUT NOT MORE THAN 7.5% WILL BE APPLICABLE.

ANNEXURE A
GENERAL CONDITIONS OF CONTRACT