

**HEAD OFFICE**  
Hosken's House  
45 Mooi Street  
Johannesburg  
2091  
Private Bag X105  
Melville, 2109  
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**  
Regus Bloemfontein  
Unipark Building  
Vodacom Lane, Nobel Str  
Brandwag  
Bloemfontein 9301  
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  
Tel: (018) 294 5280  
Fax: (018) 294 5719

**WESTERN CAPE**  
Sunbel Building  
2 Old Paarl Road  
Office 205, 2nd Floor  
Belville, 7530  
Tel: (021) 946 4022  
Fax: (021) 946 4043



Education, Training and Development Practices Sector Education and Training Authority

**RFQ NO: 23 - 2025/26**

## **REQUEST FOR QUOTATIONS**

### **TERMS OF REFERENCE FOR THE APPOINTMENT OF A FIRM OF LEGAL PRACTITIONERS (LAW FIRM) SPECIALISING IN COMMERCIAL PROPERTY LEASES AND DISPUTES**

#### **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 Plan (NSDP). The Mandate of the ETDP SETA is to promote and facilitate the development and improvement of the skills profile of the sector's workforce to benefit employers, workers and employees in the ETD sector.

The ETDP SETA will host a ***Non-Compulsory*** briefing session for **RFQ NO: 23 - 2025/26 – Appointment of a firm of legal practitioners (law firm) specialising in commercial property leases and disputes on 15 July 2025**. Access details will be available on [www.etdpseta.org.za](http://www.etdpseta.org.za) as from **14 July 2025**. The closing date is **23 July 2025**. Kindly note that interested service providers may submit their questions until **17 July 2025** 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**

The purpose of this Request for Quotations ("RFQ") is to appointment a firm of legal practitioners (law firm) specialising in commercial property leases and disputes in order to provide services around the handling of lease and accommodation dispute and challenges for ETDP SETA offices leased from various private companies (landlords/lessors/service providers).

The information in this communication is confidential and may be legally privileged.

It is intended for the sole use of the individual/s or entity to whom this has been addressed or copied. If you are not the intended recipient you are hereby notified that any disclosure, copying, distribution or taking action in reliance of the contents of this communication and/or its attachments, is strictly prohibited and will be unlawful.

### 3. PROJECT SCOPE, DELIVERABLES AND REQUIREMENTS

#### 3.1. Project Scope

The required technical and legal services from the Provider are as follows:

- 3.1.1. Analyzing and evaluation of the entire procurement processes (to determine if the documents submitted by service provider were and/or are valid) during the procurement of all the ETDP SETA offices across the country.
- 3.1.2. To determine if any of the current service providers contracted are compliant with the laws and conditions relating to lease agreements and service level agreements whether there is a breach of any terms and conditions thereof.
- 3.1.3. Verifying the authenticity and validity of the mandatory documents which should have been issued by relevant issuing or validating authorities (e.g. Department of Employment and Labour, Local Municipality, Property Regulatory Professional Bodies and Bodies responsible for such applicable standards) submitted by the contracted service providers during the bidding stage.
- 3.1.4. Determining if any service provider misled the ETDP SETA or misrepresented any information contained in its bidding documents (bid proposal) during the procurement process of the ETDP SETA offices.
- 3.1.5. Drafting and submitting the preliminary (if any) and final report to the ETDP SETA in relation to findings and conclusions emanating from analyzing and evaluation of the entire procurement processes (to determine if the documents submitted by service provider were valid) during the procurement of all the ETDP SETA offices.
- 3.1.6. Providing legal opinions, advice, guidance and any other legal support to the ETDP SETA in relation to redressing any issues established during the evaluation and verification processes required. Where necessary, attend any meetings and present the report upon request.
- 3.1.7. Drafting and serving letters of demands placing any service provider on terms with any legal obligation, claim or specific performance in relation to the contract signed with the ETDP SETA.
- 3.1.8. Initiating and pursuing the required legal action against service providers in default of the terms of reference and the service level agreement entered with the ETDP SETA

#### 4. COSTING MODEL (PRICE SCHEDULE)

##### COST COMPARISON FOR THE PROCUREMENT OF LEGAL SERVICES

**THIS COSTING MODEL MUST NOT BE MODIFIED AT ALL AND IF RETYPED ALL LINE ITEMS IN ORDER AS STATED BELOW TO BE INCLUDED**

**NB:** The service provider must provide breakdown of each of the services indicated in paragraph 3 below and further supporting documents for Evaluation Criteria described in paragraph 4 below.

DESCRIPTION	Rate Per Hour or per page or per folio (whichever is necessary)	Rate Per Day (if applicable)
Evaluation of the procurement processes		
Verifying the authenticity and validity of the mandatory documents submitted by service providers.		
Legal opinion, advice, guidance and any other administrative legal support		
Drafting and serving letters of demands or any correspondence		
Initiating relevant legal action against service providers in default		
Face to Face Consultation client		
Conducting Interviews with ETDP SETA officials or any other external official (Where Necessary)		
Disbursements (Describe each aspect or item and associated costs)		
Postage and Receivables		
Collapsed fee (If full 8-hour day is lost to adjournments or postponements or cancellations)		
<b>SUB- TOTAL</b>		
Travel Related Costs (Tariff per kilometre)		
<b>SUB-TOTAL</b>		
Admin Expenses (Email, postage, courier, telephone) etc		
<b>TOTAL COSTS</b>		
<b>ALL COSTS MUST BE INCLUSIVE OF VAT</b>		

**NAME OF BIDDER:** \_\_\_\_\_

**POSITION/ ROLE:** \_\_\_\_\_

**SIGNATURE:** \_\_\_\_\_

***All pricing shall be in South African Rand (ZAR). All project milestones with costing should be listed on the pricing schedule.***

#### **5. DURATION OF THE PROJECT**

---

It is expected that the ETDP SETA will enter into a service level agreement (SLA) with the successful bidders. The duration of the project will be until **30 June 2027** and will commence after the signing of the SLA

#### **6. METHOD OF SUBMISSION**

---

Bidders must submit via an email their proposals to [etdpsetarfq@etdpseta.org.za](mailto:etdpsetarfq@etdpseta.org.za) or hand deliver to:

**ETDP SETA Head Office**

Hoskens House  
45 Mooi Street  
Johannesburg  
2609

The proposal must cover the following stages.

**Folder A: Stage 1:** Administrative Requirements

**Folder B: Stage 2:** Mandatory Requirements

**Folder C: Stage 3:** Price and Specific Goal

It is the responsibility of the bidder to ensure that all relevant documents are included in the email 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

***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 in full the Request for Proposal document	
Completion of all SBD Forms: <ul style="list-style-type: none"> <li><b>SBD 1</b> - Invitation to Bid</li> <li><b>SBD 4</b> - Declaration of Interest</li> <li><b>SBD 6.1</b> - Preferential Points Claim Form in terms of the Preferential Procurement Regulations, 2022 - <b><i>(If claiming preferential points) - this will be used to verify points to be allocated for specific goals</i></b></li> <li><b>General Conditions of Contract</b></li> </ul>	
Original or certified copy of B-BBEE Level of contribution Certificate OR A sworn affidavit –B-BBEE Exempted Micro Enterprise (Failure to attach certificate will lead to non-allocation of points)	
Submit a <b><i>“Unique security personal identification number (PIN) issued by SARS” which the SETA will use to verify the bidder’s tax matters prior to the award</i></b>	
Registration with the National Treasury’s Central Suppliers Database: Submit a CSD report or MAAA.... unique number	

#### 7.2. STAGE 2 – MANDATORY REQUIREMENTS [Folder B]

Mandatory Requirement	Method of Evaluation
<b>a)</b> Registration/ Accreditation with the relevant bodies	a. Request for Quotes Form b. Legal practice Council (“LPC”) Certificate of Good Standing for legal practitioners c. Proof of Fidelity Fund Registration of the law firm. d. Copy of a valid fidelity fund certificate for practitioners operating the

The information in this communication is confidential and may be legally privileged. It is intended for the sole use of the individual/s or entity to whom this has been addressed or copied. If you are not the intended recipient you are hereby notified that any disclosure, copying, distribution or taking action in reliance of the contents of this communication and/or its attachments, is strictly prohibited and will be unlawful

	trust account
	e. Proof of Trust Account for the law firm (for law firms)
	f. Proof of letter of good standing for legal practitioners
	g. CIPC Company Registration Documents for the law firm.
	h. Letter of Good Standing from Compensation Fund (COIDA).

***NB: Failure to submit any of the above-requested mandatory documents will lead to disqualification.***

### **7.3. STAGE 3 - PRICING & SPECIFIC GOALS [Folder C]**

#### **PRICING SCHEDULE DOCUMENTS**

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

✓ Price	<b>80</b>
✓ Allocation of specific goals	<b>20</b>

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 reserves 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. ETDPSETA reserves the right to include a penalty fee should the training programme not be completed as per the service level agreement.
6. 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.
7. Specific goals shall not be allocated where supportive documents as stated in the bid documents are not provided as stated in the bid document.
8. Bids submitted are to hold good for a period of **90 days**.
9. 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** in order 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.
10. Failure on the part of a bidder to submit proof of B-BBEE Status level of contributor, sworn 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.
11. 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.
12. 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.
13. Companies that are in the process of de-registration in the CIPC will not be considered.
14. 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 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](http://www.etdpseta.org.za) "ETDP SETA PAIA Manual and POPIA Manual".

## 10. BID DOCUMENTS / PROPOSAL PACKS

Bid documents for participation **must** be downloaded from the ETDP SETA website: [www.etdpseta.org.za](http://www.etdpseta.org.za), Main Menu > Supply Chain Management > Open RFQs as from **12h00** on **10 July 2025**.

All Proposals must be **courier or hand delivered to:**

**The ETDP SETA – Head Office**  
**Hoskens House**  
**45 Mooi Street**  
**Johannesburg**  
**2091**

**OR**

Sent via email to [etdpsetarfq@etdpseta.org.za](mailto:etdpsetarfq@etdpseta.org.za)

Submissions can be delivered into the tender box between **08h00 and 16h30 Monday to Friday BEFORE** the closing date and time of **11h00** on **23 July 2025**.

**No late submission will be accepted!**

## 11. CLOSING DATE

**All Proposals should reach the ETDP SETA Offices on or before 11h00 on 23 July 2025.**



## 12. CONTACT PERSON

NO telephonic or any other form of communication relating to this bid will be permitted with any other ETDPSSETA 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](mailto:tenderers@etdpseta.org.za)

Note: Blacklisted companies appearing on the National Treasury database and prohibited from conducting business with public entities will be disqualified.