

REQUEST FOR PROPOSAL
FOR THE APPOINTMENT OF PANEL OF LEGAL SERVICES PROVIDERS FOR
COEGA DEVELOPMENT CORPORATION
CONTRACT NO: CDC/142/24 et al

The Coega Development Corporation is headquartered in the City of Gqeberha, Nelson Mandela Bay Municipality, South Africa, with a strategic operational footprint in South Africa and beyond the borders on the African continent. Coega's vision is to be the leading catalyst for the championing of socio-economic development. This it seeks to achieve through the development and operation of the 9 003-hectare Coega Special Economic Zone (SEZ), a transshipment hub and a leading investment destination in Africa, providing highly skilled competence and capacity for the execution of complex infrastructure and related projects throughout South Africa and selected markets on the African continent, and advisory on the development of industrialization and logistics zones. Coega's advanced capabilities are successful enablers in sustainable economic zone development and management, real assets management, infrastructure planning and development, technology integration while realizing related socio-economic impact areas such as skills and SMME development. Coega's high-performance ethos is grounded in its commitment to sustainable development, the protection of its people and the planet, and the delivery of infrastructure solutions that support a just social and economic transition to a low-carbon, resource efficient, and climate resilient future.

The foundational culture of Coega's approach, backed by its core values, is innovation and continuous improvement.

INVITATION & SCOPE OF SERVICES

The CDC is inviting suitably qualified and competent Law Firms or sole proprietor's to submit proposals, per category, in order to form part of the Coega Development Corporation's Panel of Legal Services Providers for a period of three (3) years, to be used as and when required. Attorneys who were previously on the CDC's Framework of Attorneys Tender Number CDC/250/23 must also submit their proposal, should they intend to be part of the Panel of Legal Services Providers from 2024 onwards.

The Bidder(s) is required to categorise the particular bid they are tendering for in accordance with the table below.

Contract number	Contract description	Definition of Category
CDC/142/24	Panel of Legal Services Providers for Category 1: Small Law Firms for Coega Development Corporation	Law Firms or sole proprietor with an annual turnover of not more than R10 million
CDC/143/24	Panel of Legal Services Providers for Category 2: Medium Law Firms for Coega Development Corporation	Law Firms or sole proprietor with an annual turnover greater than R10 million but not more than R50 million
CDC/144/24	Panel of Legal Services Providers for Category 3: Large Law Firms for Coega Development Corporation	Law Firms or sole proprietor with an annual turnover greater than R50 million

The Panel of Legal Services Providers is required to provide a wide range of legal services which include, but are not limited to:

- (a) Provision of legal advice/opinions on various legal matters;
- (b) Representation of the CDC in dispute resolution and litigation matters;
- (c) Notarisation and registration of deeds; and
- (d) Handling of labour/employment matters.

The panel should comprise of specialists with knowledge of various fields of law including, but not limited to:

- (a) Corporate Law;
- (b) Commercial and Civil Litigation;
- (c) Debt Collection;
- (d) Eviction;
- (e) Labour and Employment Law;
- (f) Constitutional Law;
- (g) Administrative Law;
- (h) Construction Law;
- (i) Public Finance Law;
- (j) Environmental Law;
- (k) Occupational Health and Safety Laws and Regulations;
- (l) Competition Law;
- (m) Property Law;
- (n) Conveyancing;
- (o) International trade and customs;
- (p) Intellectual Property;
- (q) Tax Law; and
- (r) Corporate Governance and Company Secretarial Services.

CONDITIONS OF TENDER

- (a) Bidder(s) must complete and sign the POPI Act consent form.
- (b) Bidder(s) must be registered with the Legal Practice Council (LPC).
- (c) Each Director of the Bidder should have a valid Fidelity Fund Certificate.
- (d) The CDC's Procurement Policy & Procedures shall apply.
- (e) The following legislation shall apply:
 - (i) Public Finance Management Act (1 of 1999) (PFMA);
 - (ii) National Treasury Regulations;
 - (iii) Preferential Procurement Policy Framework Act (5 of 2000);
 - (iv) Preferential Procurement Regulations, 2022;
 - (v) B-BBEE Act (53 of 2003) (as amended by Act number 46 of 2013);
 - (vi) Occupational Health and Safety Act and Regulations, Act (85 of 1993); and
 - (vii) Compensation for Occupational injuries and disease Act (130 of 1993).
- (f) Either **80/20** or **90/10** preference point system will apply as per the Preferential Policy Framework Act 2000: Preferential Procurement Regulation. The Preference Point System will be applied for evaluation purposes using the total sum of fee rates submitted by the Bidder(s), however Bidder(s) will be appointed based on the fee rates. The allocation of preferential points will apply as follows:
 - (i) Price **- 80/90**
 - (ii) Specific Goals (B-BBEE Level of Contributor) **- 20/10**
- (g) Bids will be evaluated based on functionality and bidders are required to meet the minimum threshold of 60 points in order to pass functionality assessment
- (h) The CDC will only appoint a maximum number of Service Provider(s) per province and Law Firm category. The maximum number of Service Provider(s) per province will be based on the maximum limit of the rate which will be accepted per Law Firm category;
- (i) Bidder(s) with less than 51% black shareholding (QSEs & Generics) are to submit a valid SANAS Accredited B-BBEE Verification Certificate (with the full applicable B-BBEE elements). Bidders with more than 51% black shareholding (EMEs & QSEs) are to submit a sworn affidavit stamped and signed by the Commissioner of Oaths as per the DTIC B-BBEE template.
- (j) Bidder(s) must submit a proof of registration with National Treasury's Centralized Supplier Database (CSD) or provide a National Treasury CSD registration number e.g MAAAO...;
- (k) CDC will only award the tender to a Bidder(s) who is tax compliant. The tax compliance status of the bidder(s) will be verified through CSD and SARS website, therefore prospective Bidder(s) must ensure that they are Tax Compliant throughout the validity period of the bid in review.
- (l) Public servants are prohibited from doing any form of business with organs of state, whether in their own capacity as individuals or through companies in which they are directors. Verification will be done and Bidder(s) will be disqualified should they be found to be in contravention with the regulations.
- (m) The Bidder(s) must confirm that as a condition of appointment, they will furnish the CDC within the allocated time, with a valid letter of good standing from the LPC.
- (n) JV's and consortiums will not be allowed to tender.
- (o) All returnable bid documents and proposals to be indexed and paginated.
- (p) All bid documents to be completed in black ink.
- (q) No tippex is allowed. All changes must be scratched out and a signature appended next to each change.
- (r) All copies must be originally certified and all certified copies must not be older than three (3) months from date of submission.
- (s) It is incumbent upon and the responsibility of the Prospective Bidder(s) to submit their full and correct contact details when they download the RFP Document to enable any communication that the CDC might need to issue to all the Prospective Bidders during the bidding process to be realised. The CDC will not be accountable for any such omission or failure by the Prospective Bidder(s).
- (t) Any misrepresentation of information will lead to immediate disqualification of the Bidder's Submission. It is imperative that the duly authorised person conducts quality control on all the documentation to be submitted to the CDC as part of this RFP and signs the submission as a correct and sound documentation that the CDC could put its reliance on.
- (u) The tender validity period shall be twenty-four (24) weeks from the closing date, expiring on 11 November 2024.

RFP documents can be downloaded from the CDC website: (www.coega.co.za) from **Friday, 03 May 2024 at 10h00** at no cost.

Potential bidders will be required to provide their email addresses on the CDC website before downloading the documentation for correspondence purposes. Potential bidders must therefore ensure that the email addresses are correct.

A non-mandatory Briefing Meeting will be held at via Microsoft Teams on **Monday, 13 May 2024 at 10h00**. Join the meeting by using the following link:

[Click here to join the meeting](#)

Queries relating to this RFP may be addressed to Ms. Zine Mtanda, Unit Head: Supply Chain Management strictly via e-mail: tenderscdc14224@coega.co.za between the period of **03 May 2024 to 20 May 2024**. No new queries received after **20 May 2024** will be considered.

The **closing date** and time for the receipt of complete bid documents is on **Monday, 27 May 2024 at 12h00**.

One (1) original hardcopy of the completed RFP document shall be placed in a sealed envelope clearly marked:

**“CDC/142/24 ET AL- RFP - APPOINTMENT OF PANEL OF LEGAL SERVICES PROVIDERS
FOR COEGA DEVELOPMENT CORPORATION”**

Bids are to be placed in the tender box at the CDC's Main Office located at the **Coega Business Centre, Cnr Alcyon Rd and Zibuko Street, Zone 1, Coega SEZ, Gqeberha (Port Elizabeth)**. RFP documents will not be opened in public. No late submissions will be considered.

Incomplete RFP Document and failure to submit mandatory information required in the RFP will result in the submissions being deemed non-responsive. For avoidance of doubt, any requirement with directive language in its wording such as **must** or **shall** is mandatory.

Telegraphic, telexed, facsimiled or e-mail submissions will not be accepted.

No telephonic or any other form of communication with any other CDC member of staff, other than the named individual below, relating to this request for bid will be permitted.

All enquiries regarding this bid must be in writing only, and must be directed to:

Ms Zine Mtanda, Unit Head: Supply Chain Management; e-mail address: tenderscdc14224@coega.co.za

The CDC reserves the right not to accept the lowest proposal in part or in whole or any proposal.

TIP-OFFS ANONYMOUS HOTLINE:
STOP: THEFT / FRAUD / DISHONESTY / BRIBERY /
BLACKMAIL / INTIMIDATION
Call Toll-free TODAY: 0800 007 035 and remain anonymous.



• right **PLACE** • right **TIME** • right **CHOICE**

BBBEE LEVEL 1 CONTRIBUTOR
ISO 9001:2015 • ISO 14001:2015 • ISO 45001:2018
ISO 20000-1:2018 • ISO 27001:2013

