



# higher education & training

Department:  
Higher Education and Training  
REPUBLIC OF SOUTH AFRICA

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**DATE:** 11 FEBRUARY 2026

**TIME:** 10:00 to 12:00

**TENDER NUMBER:** DHET178

**DESCRIPTION** APPOINTMENT OF A SUITABLE PANEL OF ATTORNEYS/LAW FIRMS/ADVOCATES TO RENDER SPECIALISED LEGAL AND SECRETARIAT SERVICES TO THE SERVICES TO THE NATIONAL SKILLS FUND

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## 1. WELCOME AND INTRODUCTION

Ms Qwabe welcomed everyone and request the Department of Higher Education and Training (DHET) team to introduce themselves and the service provider to introduce themselves on the chart box; Ms Nkuna introduced herself and colleagues Ms Maokeng, Ms Letsoalo and Mr Mzimela (Supply Chain Management) and Mr Msomi (Project Manager).

### BID PRESENTATION

Presentation of the Terms of Reference (TORs) by Mr Msomi.

## 2. SUPPLY CHAIN MANAGEMENT (SCM) MATTERS

The SCM indicated that:

- The briefing session was Compulsory as indicated in the Tender advert. Non-attendance to the briefing session led to disqualification of the Bidders' proposal/s.
- To avoid disqualification, the original compulsory briefing certificate must be submitted with the proposal. Copies will not be accepted
- For unincorporated consortia / joint ventures and/or sub-contractors, each party must be registered individually on the Central Supplier Database, and their tax compliance status will accordingly be verified.
- For incorporated consortia / joint ventures and/or sub-contractors, the bidder must be submitting proof of Central Supplier Database registration and tax compliance status will accordingly be verified.
- There is requirement in terms of in case you are firm forming a JV consortia, trust or partnership we need a signed teaming agreement that will be submitted together with the proposal and the teaming agreement needs to clearly indicate who would be responsible for what
- The tender is closing on **25 February 2026 at 11:00**. A bid which is submitted after **11:00** on the closing date will be regarded as late and will not be accepted by the DHET.
- The documents must be submitted as hard copies, emailed documents will not be accepted.
- Bid documents will only be considered if received by the Department before or on the closing date and time, regardless of the method used to send or deliver such documents to the Department.
- The tender document is submitted at department of High Education and Training 123 Francisbaard street Not National Skills Fund (NSF)
- The information must be marked correctly and sealed separately for ease of reference during the evaluation process. Furthermore, the files must be labelled and submitted to the Department in two separate envelopes and format as follows: The two-envelope procedure must be followed for tender

submissions. The first envelope must clearly state TECHNICAL SUBMISSION, wherein the bidder should address all aspects of the required scope of services. The second envelope must clearly state FINANCIAL SUBMISSION, wherein the bidder should include the proposed fee for the project. Proposals must be submitted in hard copy format: One original and one copy.

- The clarity seeking questions should be done at least five (5) days before the closing date as indicated in the tender advert. The questions should be directed to **Tenders@dhet.gov.za**.
- The discussions during the briefing session and the questions raised after the briefing session will be consolidated, responded to and uploaded on the Department's website (www.dhet.gov.za) and eTender Portal (www.etenders.gov.za) where the tender advert and documents are published.
- Bidders must read the Mandatory Requirements carefully as listed in the TORs and ensure that they respond as required.

### 3. QUESTIONS RAISED AND RESPONSES PROVIDED (during the briefing session)

No	Question raised	Response/Clarity
1.	Page 5 Qualification and experience 5.3: does LLB plus a minimum of three years post admission apply to the lead or for everyone?	An LLB degree or equivalent degree and a minimum of +3 years post admission experience in areas of providing legal and secretariat services.  The above is stated in the ToR, therefore it applies to everyone
2.	How many categories can we bid for?	Minimum 1 (Field of Law)
3.	Do we bid for categories, or do we bid for the whole project?	For the whole project (Specify categories)
4.	How many law firms will constitute the panel of attorneys?	All successful bidders (no set maximum)
5	Can you clarify what was said about the circular service?	<b>Requestor to give more context</b>
6	If we are not responding to litigation because it's not one of our areas of specialization, will it affect our score or points because we are removing litigation on that?	No
7	On the company secretariat's part, you mentioned in your explanation that there are committees that convene meetings. I just want to confirm if the meetings are largely virtual, in person or hybrid?	The meetings are combination of the three, some are physical, some are virtual and some are hybrid
8	Does the company secretary services come with the panel of attendees or is it separate?	There are committee members and chairpersons appointed to attend the meetings.
9	We noted that the secretarial segment requires an NQF level qualification, what will be the position if you have experience of being a secretarial but did not necessarily have the NQF level 6 qualification?	Qualifications and experience are required.
10	Pertained to the structure of the submission of the tender document Is the department require us to follow the exhibit A to the last exhibit of the document as laid down in the tender?	Yes
11	Does the institution require us to attach the whole document in terms of entering affidavit or require us to attach certain documents, for example page one and the last page of the specific document only?	Provide sample not exceeding 10 pages

12	On the issue of tariffs as you've indicated that is a public press, it should not appeal anything, but then we are going to have a problem on the scale of work where someone is charging R7000 per hour with 20 years' experience and the other person is charging R10 000 with 10 years' experience. I have checked the document, and it is quiet when it comes to the tariff and you pleaded with us from the beginning that tariffs need to be considered, but what is consideration when it comes to that?	There are no tariffs attached to the Panel of Attorneys
13	Kindly clarify under Exhibit 3, it says that we need to add time for the work done on the project, at this stage we don't know what the work is. We don't have the scope of work so how do we add to work hours? Unless we add rates?	It was agreed at the briefing session that the attorneys will indicate hourly rate and day fee (provide proforma invoice) prior to accepting NSF instructions.
14	Exhibit 4 under Company Secretariat Services says copy of minutes of the meeting; kindly clarify which minutes do we submit. Do we submit minutes of the meeting from our clients? If it's from our clients, how do we protect confidential information?	Successful companies will also be required to take minutes at certain NSF committee meetings.  As for minutes with the clients, a redacted sample of minutes issued by the applicant will suffice.
15	Exhibit 4 kindly clarify how many opinions of summons or judgments and company secretariat minutes we need to submit or will one from each will suffice?	A sample of 10 page or less will suffice
16	How are you going to calculate rates or probably pricing basically?	The NSF has set budget for the Panel of Attorneys. Attorneys will be appointed based on experience specialization and proforma invoice supported by agreed hourly rate will be provided.
17	We are a compliance governance legal consulting firm but we are not registered as law firm but a private company with mostly admitted consultants. Is it a requirement that the service provider be a law firm?	No, however, a letter of good standing with the LPC is a requirement. The letter must have been issued in 2026.

#### 4. CONCLUSION

Bidders were reminded:

- To be mindful of the tender closing date and time as indicated in the tender advert.
- That they can still ask questions until at least five (5) days before the closing date; questions should be directed to [Tenders@dhet.gov.za](mailto:Tenders@dhet.gov.za).

Ms Qwabe thanked the Bidders for attending the briefing session and wished them well with the preparation and submission of their bids.

The session was adjourned.

#### 5. QUESTIONS RAISED (after the briefing session) AND RESPONSES PROVIDED

No	Question raised	Response/Clarity
1.	I would like to seek clarity regarding submission of a "Financial Submission".  Part D-Submissions on page 20 at paragraph 1.3, we are told to submit an envelope with financial submission.	Financial submission will only be evaluated once the bidders are part of the panel

	In the briefing session we were told that that stage would be done at a later stage.	
2.	<p>We kindly request clarification regarding the bid submission requirements.</p> <p>The tender document indicates that we are to submit two (2) copies of each file, being one (1) original and one (1) copy. We would appreciate confirmation on whether:</p> <ol style="list-style-type: none"> <li>1. Phase 0 and Phase 1 should be submitted as separate files, each with one (1) original and one (1) copy (resulting in two originals and two copies in total); <b>OR</b></li> <li>2. Should both phases be combined into one formal proposal and submitted as a single file, requiring only one (1) original and one (1) copy.</li> </ol> <p>Your guidance on the correct submission format will be greatly appreciated to ensure full compliance with the tender requirements.</p>	both phases should be combined into one formal proposal and submitted as a single file, requiring only one (1) original and one (1) copy.
3.	How many firms will be selected for the panel?	All successful bidders (no set maximum)
4.	2.8 Exhibit 4, Page 22 - bidders are required to provide pleadings/legal opinions of current or previous matter, are bidders required to submit pleadings for a single case or multiple cases, also some information is confidential and cannot be disclosed. Kindly clarify	A single case will suffice. Sensitive or confidential information maybe be redacted.
5.	We note that the certificate does not contain the company details and or the company representative details. Will the certificate in its current form suffice for tender submission?	<p>Company details must be completed by the bidder/s.</p> <p>NB: Your company and/ or representative who attended the compulsory briefing session.</p>

The discussions during the briefing session and the questions raised after the briefing session will be consolidated, responded to and uploaded on the Department's website [www.dhet.gov.za](http://www.dhet.gov.za) and the National Treasury website [www.etenders.gov.za](http://www.etenders.gov.za) where the tender advert and documents are published