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## **THE ESTABLISHMENT OF A PANEL OF PROFESSIONAL SERVICE PROVIDERS / CONTRACTORS FOR THE BUILT ENVIRONMENT FOR LEGAL AID SA**

### **1. INTRODUCTION AND BACKGROUND**

- 1.1 Legal Aid South Africa is an independent statutory body established in terms of Legal Aid Act, 1969 (Act 22 of 1969), replaced by the Legal Aid South Africa Act 39 of 2014. Its aim is to render legal aid to indigent persons as widely as possible within its financial means, including providing legal representation and advice at state expense as contemplated in the constitution. Legal Aid South Africa is a high-performance organization delivering its constitutional mandate to provide legal assistance to the poor.
- 1.2 Legal Aid SA has property portfolio consists with one (1) National Office, six (6) Provincial Offices, sixty-four (64) Local Offices and sixty-four (64) Satellite Offices. Out of these offices, eight (8) properties are owned by Legal Aid SA, one hundred and twenty-four (124) are leased from various landlords and three (3) rent-free court office spaces are provided by the Government.
- 1.3 The Legal Aid SA hereby invites suitably qualified and reputable registered multi-disciplinary professional consulting firms or registered professionals to submit a proposal for the provision of Multi-disciplinary Services for the property and infrastructure projects designs and supervision inclusive of all Engineering Disciplines for Built Environment, Project Management Services, Architectural, Quantity Surveying, Valuation Services, Environmental Management, Construction Regulation Agents, Real Estate Agents services and Property Developers, etc.

## **2. TERMS OF REFERENCE**

- 2.1 A team of professional consultants that will be appointed by the Legal Aid SA will be required to plan and/or manage and/or oversee and/or implement all buildings project related activities. Depending on the scope and needs of specific projects, a team will consist of different professionals. These team will consist of external service providers, in various fields where such support might be needed by Legal Aid SA. In some instances, a single profession might be needed while in others, a compliment of the team covering the full spectrum of disciplines might be required.
- 2.2 The Service Provider shall carry out full services that include but are not limited to assessments, designs, plans and investigations required, collect all data relevant to the project, identify limitations, investigate options for the proposed development, and identify mechanical, electrical and civil works interface requirements, produce concept designs and compile required reports, obtain approval of drawings from the Local Authority to be determined, interface and cooperate with the Legal Aid SA internal project managers including other external professionals appointed by Legal Aid SA.
- 2.3 The Service Provider shall exercise due care, skill, diligence, and cost-effective in the provision of services. The Service Provider shall also advise the Legal Aid SA if any of the proposed/recommended guidelines be improved.

## **3. OBJECTIVES TO APPOINT THE SERVICE PROVIDER**

- 3.1 Legal Aid SA herewith aims to establish a Panel of registered consultants that will form a Panel of Professional Team (PPT) that may be utilized on an ad-hoc basis. Each of the appointed professionals will be contracted to remain on the Panel for a period of three (3) years from the date of appointment. The contracts may be suspended or cancelled at the discretion of Legal Aid SA for any of the functions outlined. The PPT will consist of some or all the following professions – depending on the specific needs of Legal Aid SA at the time of any appointment.
- 3.2 Prepare and finalize the project concept in accordance with the brief, including project scope, scale, character, form and function, plus preliminary program, and viability of the project.

3.3 This invitation is open to all companies with registered professionals for built environment within the following professional disciplines:

3.3.1 *Construction Project Managers*

3.3.2 *Architectural Services*

3.3.3 *Quantity Surveyors*

3.3.4 *Engineering professionals (Civil, Structural, Electrical, Mechanical)*

3.3.5 *Construction Regulation Agents (OHS Agents, Environmental Specialists Agents, etc.)*

3.3.6 *Professional Valuers*

3.3.7 *Real Estate Agents*

3.3.8 *Property Developers*

3.3.9 *Contractors (registered with CIDB)*

3.3.10 *Registered Energy Performance Certificate (EPC) professionals*

#### **4. GUIDELINE SCOPE OF SERVICES**

##### **4.1 Planning, studies, investigations, and assessments**

These typical services relate to carrying out studies and investigations as well as the preparation and submission of reports embodying preliminary proposals or initial feasibility studies and will normally be remunerated on a time and cost basis.

- 1) Consultation with the client or client's authorised representative.
- 2) Inspection of the project site.
- 3) Developing and defining the scope of work where required.
- 4) Preliminary investigation, route location, planning and a level of design appropriate to allow decisions on feasibility and the selection of the most desirable project option.
- 5) Assessment of existing infrastructural elements with the view of informing the project on options of how to integrate existing works with proposed new works with existing works.
- 6) Consultation with authorities having rights or powers of sanction as well as consultation with the public and stakeholder groups.
- 7) Advice to the client as to regulatory and statutory requirements, including environmental management and the need for surveys, analysis, tests and site or other investigations, as well as approvals, where such are required for the

completion of the report, and arranging for these to be carried out at the client's expense.

- 8) Searching for, obtaining, investigating, and collating available data, drawings and plans relating to the works.
- 9) Investigating financial and economic implications relating to the proposals or feasibility studies.
- 10) Clause (9) does not normally apply to civil and structural services or on building projects, where a quantity surveyor provides these services, except as far as the interpretation of cost figures concerning the engineer's scope of works.

Deliverables will typically include:

- ❖ Collation of information
- ❖ reports on technical and financial feasibility and related implications
- ❖ list of consents and approval
- ❖ schedule of required surveys, tests, analyses, site, and other investigations
- ❖ time frames for upcoming deliverables.

## **4.2 Normal Services**

These services are applicable to projects where the nature, form and function of the project have been defined through previous investigations and reports and the engineering services are required to take the project through to successful completion of construction.

In the case where only a single consulting engineer is appointed on a project, the services and deliverables of the principal agent are included as normal and must be agreed between the parties to see the project through all stages.

Unless otherwise agreed in writing prior to the commencement of any work, part of the normal services of the consulting engineer on all projects includes the provision of services related to all financial matters such as calculation of quantities, cost estimates, cost control and the procurement process.

The only exceptions, where financial services do not form part of the normal services of the consulting engineer are in the following cases:

- ❖ Structural and civil engineering services related to building and multi-disciplinary projects, and where such services form part of the quantity surveyor's scope of services. Where the civil and structural consulting engineer is required to give assistance with such services, these shall be treated as an additional service remunerated on a time and cost basis.
- ❖ In the case of building and multi-disciplinary projects where the scope of works forms part of the principal building contract (for example a domestic subcontract) and where such financial administration services form part of the quantity surveyor's scope of services.

#### **4.3 Stage 1 – Inception**

Defined as: Establish client requirements and preferences, assess user needs and options, appointment of necessary consultants, establish the project brief including project objectives, priorities, constraints, assumptions aspirations and strategies.

- 1) Assist in developing a clear project brief.
- 2) Attend project initiation meetings.
- 3) Advise on procurement policy for the project.
- 4) Advise on the rights, constraints, consents, and approvals.
- 5) Define the scope of services and scope of work required.
- 6) Conclude the terms of the agreement with the client.
- 7) Inspect the site and advise on the necessary surveys, analyses, tests and site or other investigations where such information will be required for Stage 2 including the availability and location of infrastructure and services.
- 8) Determine the availability of data, drawings and plans relating to the project.
- 9) Advise on criteria that could influence the project life cycle cost significantly
- 10) Provide necessary information within the agreed scope of the project to other consultants involved.

Deliverables will typically include:

- ❖ agreed scope of services and scope of work
- ❖ signed agreement define the agreement
- ❖ report on project, site, and functional requirements

- ❖ schedule of required surveys, tests, analyses, site, and other investigations
- ❖ schedule of consents, approvals, and related timeframes.

#### **4.4 Stage 2 – Concept and Viability (Preliminary Design)**

Defined as: Prepare and finalise the project concept in accordance with the brief, including project scope, scale, character, form and function, plus preliminary programme, and viability of the project.

- 1) Agree documentation programme with principal agent or consultant and other consultants involved.
- 2) Attend design and consultants' meetings.
- 3) Establish the concept design criteria.
- 4) Prepare initial concept design and related documentation.
- 5) Advise the client regarding further surveys, analyses, tests, and investigations that may be required.
- 6) Establish regulatory authorities' requirements and incorporate into the design.
- 7) Refine and assess the concept design to ensure conformance with all regulatory requirements and consents.
- 8) Establish access, utilities, services, and connections required for the design.
- 9) Participate in coordinated design interfaces with architect or other consultants involved.
- 10) Prepare process designs (where required), preliminary designs, and related documentation for approval by authorities and client and suitable for costing.
- 11) Provide cost estimates and life cycle costs, as required.
- 12) Liaise, co-operate, and provide necessary information to the client, principal consultant and other consultants involved.

Deliverables will typically include:

- ❖ Concept design
- ❖ Schedule of required surveys, tests and other investigations and related reports
- ❖ Process design
- ❖ Preliminary design, cost estimates, as required.

#### **4.5 Stage 3 – Design Development (Detail Design)**

Defined as: Develop the approved concept to finalise the design, outline specifications, cost plan, financial viability, and programme for the project.

- 1) Review documentation programme with principal consultant and other consultants involved.
- 2) Attend design and consultants' meetings.
- 3) Incorporate client's and authorities' detailed requirements into the design.
- 4) Incorporate other consultants' designs and requirements into the design.
- 5) Prepare design development drawings including draft technical details and specifications.
- 6) Review and evaluate design and outline specification and exercise cost control.
- 7) Prepare detailed estimates of construction cost.
- 8) Liaise, co-operate, and provide necessary information to the principal consultant and other consultants involved.
- 9) Submit the necessary design documentation to local and other authorities for approval.

Deliverables will typically include:

- ❖ Design development drawings
- ❖ Outline specifications
- ❖ Local and other authority submission drawings and reports
- ❖ Detailed estimates of construction costs.

#### **4.6 Stage 4 – Documentation and Procurement**

Defined as: Prepare procurement and construction documentation, confirm, and implement the procurement strategies and procedures for effective and timeous procurement of necessary resources for execution of the project.

- 1) Attend design and consultants' meetings.
- 2) Prepare specifications and preambles for the works.
- 3) Accommodate services design.
- 4) Check cost estimates and adjust designs and documents, if necessary, to remain within budget.

- 5) Formulate the procurement strategy for contractors or assist the principal consultant where relevant.
- 6) Prepare documentation for contractor procurement.
- 7) Review designs, drawings, and schedules for compliance with approved budget.
- 8) Call for tenders and/or negotiation of prices and/or assist the principal consultant or quantity surveyor where relevant.
- 9) Liaise, co-operate, and provide necessary information to the principal consultant and the other consultants as required.
- 10) Evaluate tenders.
- 11) Prepare contract documentation for signature.
- 12) Assist in pricing, documentation and tender evaluation as required when the detailed services for these activities are provided by others.
- 13) Assess samples and products for compliance and design intent.

Deliverables will typically include:

- ❖ Specifications
- ❖ Services co-ordination
- ❖ Working drawings
- ❖ Budget construction cost
- ❖ Tender documentation
- ❖ Tender evaluation report
- ❖ Tender recommendations
- ❖ Priced contract documentation.

The Service Provider shall attend a Bid Specification Committee (BSC) meeting prior to the finalization of the contract documentation and advertising of tenders. All comments of the committee shall be incorporated into the final contract documents.

Detail design drawings, shall be finalized, incorporating any comments of Legal Aid SA. Once finalized, two sets of paper prints must be submitted to Legal Aid SA for signature. One set will be kept by Legal Aid SA and the other returned to the Service Provider. All other prints issued henceforth shall carry the words “Initial version signed on *(date)*” at the signature location in the title block.

The Service Provider shall prepare any further plans, designs, and drawings (over and above the tender drawings), which may be necessary for the execution of the works. The Service Provider shall be responsible for providing the Employer with the required number of copies of plans and tender documents for tender purposes (both hard copy and on USB Memory Stick).

The Service Provider shall, during the tender period, attend and preside over a tender clarification meeting, and respond to all queries received during this period. Once tenders close, the Service Provider shall evaluate all valid tenders received and shall prepare a tender evaluation report (which shall include a recommendation) for consideration by the Legal Aid SA's Bid Evaluation Committee (BEC). The Service Provider shall present his evaluation to the BEC, respond to any queries the committee may rise, and follow up on any issues requiring the Service Provider's attention/action.

Once approved by the Legal Aid SA and the Service Provider shall facilitate the signing up of the contract.

#### **4.7 Stage 5 – Contract Administration and Inspection**

Defined as: Manage, administer, and monitor the construction contracts and processes including preparation and coordination of procedures and documentation to facilitate practical completion of the works.

There are no specific requirements over and above those listed in the Guideline Scope of Service specified above.

- 1) Attend site handover.
- 2) Issue construction documentation in accordance with the documentation schedule
- 3) including, in the case of structural engineering, reinforcing bending schedules and detailing, and specifications of structural steel sections and connections.
- 4) Carry out contract administration procedures in terms of the contract.
- 5) Prepare schedules of predicted cash flow.
- 6) Prepare pro-active estimates of proposed variations for client decision-making.
- 7) Attend regular site, technical and progress meetings.

- 8) Inspect the works for conformity to contract documentation as described under Clause 3.3.2.
- 9) Review the outputs of quality assurance procedures and advise the contractor and client on adequacy and need for additional controls, inspections, and testing.
- 10) Adjudicate and resolve financial claims by contractors.
- 11) Assist in the resolution of contractual claims by the contractor.
- 12) Establish and maintain a financial control system.
- 13) Clarify details and descriptions during construction as required.
- 14) Prepare valuations for payment certificates to be issued by the principal agent.
- 15) Witness and review of all tests and mock-ups carried out on site.
- 16) Check and approve contractor drawings for compliance with contract documents.
- 17) Update and issue drawings register.
- 18) Issue contract instructions as and when required.
- 19) Review and comment on operation and maintenance manuals, guarantee certificates and warranties.
- 20) Inspect the works and issue practical completion and defects lists.
- 21) Arranging for the delivery of all test certificates, including any Certificates of Compliance, statutory and other approvals, and record drawings and operating manuals.

Deliverables will typically include:

- ❖ Schedules of predicted cash flow
- ❖ Construction documentation
- ❖ Drawing register
- ❖ Estimates for proposed variations
- ❖ Contract instructions
- ❖ Financial control reports
- ❖ Valuations for payment certificates
- ❖ Progressive and draft final accounts
- ❖ Practical completion and defects list
- ❖ All statutory certification and certificates of compliance as required by the local and other statutory authorities.

#### **4.8 Stage 6 – Close-out**

The Service Provider shall submit as-built plans to Legal Aid SA (the Employer) in electronic format (preferably, PDF) as well as two complete set of paper prints.

- 1) Inspect and verify the rectification of defects.
- 2) Receive, comment, and approve relevant payment valuations and completion certificates.
- 3) Prepare and/or procure operations and maintenance manuals, guarantees and warranties.
- 4) Prepare and/or procure as-built drawings and documentation.
- 5) Conclude the final accounts where relevant.

Deliverables will typically include:

- ❖ Valuations for payment certificates
- ❖ Works and final completion list
- ❖ Operations and maintenance manuals, guarantees and warranties.
- ❖ As-built drawings and documentation
- ❖ Final accounts.

#### **4.9 Additional Services**

##### **4.9.1 Assess samples and products for compliance and design intent.**

- 1) The provision of a level of construction monitoring services shall be determined by the nature of works to be executed.
- 2) Additional services pertaining to all stages of the project where applicable.
- 3) Act as Employer's Agent in terms of the Occupational Health and Safety Act, 1993 (Act No 85 of 1993) and the Construction Regulations, 2003.
- 4) Provision of an independent Environmental Control Officer (ECO) to ensure compliance with the Environmental Management Plan (EMP) and Environmental Impact Assessment Authorization (EIA), as described in the Scope of Work.
- 5) Geotechnical and site investigation services.
- 6) Provision of Engineering Management Services by the Principal Agent.
- 7) Acting as the Principal Agent of the Client.
- 8) Provision for an Environmental Control Officer to ensure compliance with the Environmental Management Plan as described in the scope of work.

- 9) Work and services related to targeted procurement that could entail incorporation of targeted procurement goals, measuring key participation indicators, expanded public works programmes etc.
- 10) The Project Manager will act as the Principal Agent
- 11) Co-operate with the Top Structure Project Team.
- 12) Direct all instructions and communications via the Project Engineer/PMU.
- 13) Co-operate fully with all members of the Technical Team.
- 14) Provide to members of the Technical Team all design management services information, especially the Project Manager.
- 15) Adhere to client's advice and apply only accepted norms relating to design of labour-intensive construction works.
- 16) Ensure that there is proper and clear liaison between all the project stakeholders.
- 17) Compile monthly reports that will be shared with the various stakeholders.
- 18) Exceptional arrangements, communication, facilitation and agreements with any stakeholders other than the client and contractors appointed for the works on which the consulting services are provided.

#### **4.9.2 Construction monitoring**

Construction monitoring is a vitally important part of this project, requiring the full-time input of an experienced individual (the Engineer's Representative/Resident Engineer) on site. For this reason, it is specified that construction monitoring service (as per the Guideline Scope of Services document referred to above), must be provided by the Service Provider. The Service Provider's rate for construction monitoring shall include all overtime costs in this regard. The Service Provider is required to identify the Engineer's Representative at the time of tender and will require the Employer's approval to replace such individual, which shall not be given unless it can be shown that the replacement has the same, or better, level of qualification and experience.

The Service Provider will also be required to act as the Employer's agent in terms of the Occupational Health and Safety Act. Therefore, in submitting a tender for this professional services contract, the Service Provider shall be deemed to have acknowledged acceptance of the appointment as the client's agent in terms of the Occupational Health and Safety Act, 1993 (Act No. 85 of 1993) and the Construction Regulations, 2003, should the Employer accept the tender. The Service Provider shall, as such, execute all the duties

of the client as contemplated in the Construction Regulations. As safety and security is a vital component of the project, the Service Provider shall employ the services of a full-time safety specialist for construction monitoring purposes in order to execute the abovementioned duties, the cost thereof must be included in the fee tendered for this aspect of the project.

The Service Provider's attention is also drawn to the responsibilities of a structure in terms of the Construction Regulations and shall comply with all requirements in this regard.

The Service Provider shall, apart from conducting his own activities in compliance with the Occupational Health and Safety Act, 1993 (Act No 85 of 1993) and Construction Regulations, 2003, ensure that any Sub-Service Providers/sub-contractors employed by the Service Provider also comply with the requirements of the Act and Regulations. The Service Provider shall enter into an agreement with the Employer in this regard before the commencement.

## **5. REPORTING REQUIREMENTS**

The reports required are the Planning, Studies, Investigations and Assessments Reports; Conceptual Planning Report; Tender Evaluation Report; Contract Progress Reports and Project Close-Out Report, however the Service Provider may be required to prepare, or contribute to, ad hoc reports on specific aspects of the project.

Furthermore, the Service Provider shall submit monthly cost reports to the Employer showing expenditure in respect of both the Service Provider's appointment together with the anticipated expenditure to the end of the financial year in question.

Once construction is underway, the Service Provider shall submit monthly cost reports to the Employer showing expenditure in respect of both the Service providers appointment and the construction contract together with the anticipated spend to the end of the financial year in question. Monitoring and reporting on Enterprise Development with respect to local labour employed and other required social-economic indicators must also form part of the monthly reported construction stats. Construction progress reports shall be submitted monthly to the Employer in the agreed format.

Quality assurance reports shall be submitted monthly to the employer as work progresses. A report may be submitted at the end of each section of the works or at the end of each month as agreed with the employer. Three copies of quality reports shall be submitted.

All reports shall be submitted within the time frames agreed to by the Employer.

## **6. APPROVALS**

The Service Provider shall be responsible for obtaining all project required approvals including but not limited to the following approvals:

- ❖ Approval of the implementation programme from the Employer,
- ❖ Approval of the conceptual and preliminary plans from the Employer,
- ❖ Approval of the building plans, drawings, and contract document from the Employer,
- ❖ Wayleave approval from all service authorities,
- ❖ Approval of the construction and architectural monitoring proposals from the Employer,
- ❖ In respect of time-based services, approval of the allocation of staff from the Employer.
- ❖ Approval for the employment of specialist sub-consultants from the Employer.
- ❖ Approval of relevant designs from Local Authorities.
- ❖ Approval of the Principal Consultant and Engineers Representative from the Employer,
- ❖ Approval of building plans from the relevant Authority.

Notwithstanding any approval received from the Employer, the Service Provider shall remain responsible for all work carried out by the Service Provider and its sub-consultants and subcontractors in terms of this contract.

## **7. TIME FRAMES / MILESTONES**

The duration of the project from inception to close out shall be determined once works and needs have been identified, shall be communicated accordingly to the service provider and documented in a Service Level Agreement (SLA).

## **8. FORMAT OF COMMUNICATION**

All requests for formal approval from the Employer, or any other body, shall be submitted in writing in hardcopy format. Interim payment claims shall be submitted in the same format, accompanied by an original tax invoice. Ad-hoc communication between the Employer and the Service Provider may be conducted as hardcopy or in electronic format (e-mail).

All plans and contract documents submitted for approval shall be in hardcopy format.

## **9. PROJECT MEETINGS**

Other than attendance at at-least monthly site meetings once the construction contracts are let, there are requirements for a monthly progress update meeting in respect of this project. The Service Provider shall however convene management meetings on an ad-hoc basis as and when necessary, and when called upon to do so by the Employer. The Service Provider shall be represented at these meetings by at-least the Project Leader and all project team personnel whose CV's have been submitted with this tender.

## **10. EVALUATION PROCESS**

The evaluation process will be in three (3) stages as stated below. All bidders need to comply with all requirements in order to be considered.

Stage 1 – Administrative Compliance

Stage 2 – Mandatory Requirements;

Stage 3 – Functionality

### **10.1 Stage 1: Administration Compliance**

The evaluation will focus on all the requirement as per bid document which include review of completion of all SBD document's, submission of all compulsory required information and adherence to the tender invitation terms and conditions.

## 10.2 KEY PROFESSIONAL SERVICES/DISCIPLINE AND AREA OF SPECIALISATION

The bidder must clearly stipulate which professional services they will specialise in and the areas they would like to be considered for. Bidders must specify the province(s) in which they operate or are willing to perform the required work:

| No. | Professional Discipline                        | Bidder's Area of Specialization | Bidder's choice of discipline to be considered for on this panel | Selected Province(s) (e.g. GP, KZN, EC, etc.) |
|-----|------------------------------------------------|---------------------------------|------------------------------------------------------------------|-----------------------------------------------|
| 1.  | Project Manager                                |                                 |                                                                  |                                               |
| 2.  | Architect                                      |                                 |                                                                  |                                               |
| 3.  | Civil Engineer                                 |                                 |                                                                  |                                               |
| 4.  | Structural Engineer                            |                                 |                                                                  |                                               |
| 5.  | Electrical Engineer                            |                                 |                                                                  |                                               |
| 6.  | Mechanical Engineer                            |                                 |                                                                  |                                               |
| 7.  | Fire Engineer                                  |                                 |                                                                  |                                               |
| 8.  | Quantity Surveyor                              |                                 |                                                                  |                                               |
| 9.  | Environmental Control Officer/Specialist Agent |                                 |                                                                  |                                               |
| 10. | Professional Valuer                            |                                 |                                                                  |                                               |
| 11. | Real Estate Agent                              |                                 |                                                                  |                                               |
| 12. | Property Developer                             |                                 |                                                                  |                                               |
| 13. | Occupational Health and Safety Agent           |                                 |                                                                  |                                               |
| 14. | General Building Contractors                   |                                 |                                                                  |                                               |
| 15. | Registered EPC Professionals                   |                                 |                                                                  |                                               |

**NB:** If the Bidder's choice of discipline to be considered for on this panel, is not indicated or chosen by the bidder the bid will be considered non-responsive and will not be evaluated further. Bidders must submit separate functionality evidence for each discipline they wish to be considered for.

## 10.3 Stage 2: Mandatory Requirements

### 10.2.1 Key personnel relevant accredited professional bodies

The following method of professional body acceptance shall be used for evaluation of mandatory requirement for all professionals as per the bidder's area of specialization and choice of discipline to be considered for on this panel. **Table in point 10.2 above refers**

| No. | Professional Body | Regulatory Body | YES | NO |
|-----|-------------------|-----------------|-----|----|
| 1.  | Project Manager   | SACPCMP         |     |    |
| 2.  | Architect         | SACAP           |     |    |
| 3.  | Civil Engineer    | ECSA            |     |    |

| No. | Professional Body                               | Regulatory Body | YES | NO |
|-----|-------------------------------------------------|-----------------|-----|----|
| 4.  | Structural Engineer                             | ECSA            |     |    |
| 5.  | Electrical Engineer                             | ECSA            |     |    |
| 6.  | Mechanical Engineer                             | ECSA            |     |    |
| 7.  | Fire Engineer                                   | ECSA            |     |    |
| 8.  | Quantity Surveyor                               | SACQSP          |     |    |
| 9.  | Environmental Control Officer /Specialist Agent | SACNASP         |     |    |
| 10. | Professional Valuer                             | SACPVP          |     |    |
| 11. | Real Estate Agent                               | PPRA            |     |    |
| 12. | Property Developer                              | N/A             |     |    |
| 13. | Occupational Health and Safety Agent            | SACPCMP         |     |    |
| 14. | General Building Contractors                    | CIDB            |     |    |
| 15. | Registered EPC Professionals                    | SANEDI          |     |    |

**NB:** If the failure to submit proof of registration (certificate or letter from the Regulatory body) the above will result in the bid being disqualified and will not be evaluated further.

#### 10.4 Phase 2: Functionality Evaluation

Functionality will be evaluated in accordance with the functionality criteria and values illustrated below. The applicable values that will be utilized when scoring.

| Evaluation Criteria                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Type of Evidence Required                                                                                                                       | Weight    | Score |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|-----------|-------|
| <b>Key Personnel (Lead Professional) – Relevant Experience; Qualification &amp; Professional Registration</b><br><br>❖ Key personnel in relation to the discipline categories chosen.                                                                                                                                                                                                                                                                                                                                                                       | ❖ Attach CV including number of years; professional qualifications of the Lead Professional;                                                    | <b>45</b> |       |
| i. Less than 3 years' experience = (0 Point)<br>ii. 3 – 5 years' experience (10 points per person)<br>iii. More than 5 to 10 years' experience (15 points per person)<br>iv. More than 10 to 15 years' experience (25 points per person)<br>v. More than 15 years' experience (35 points per person)<br><br>❖ NB: Number of years for experience must be post the professional registration as indicated to claim the points.<br><br>vi. Bachelor's degree/B.Tech = (10 points)<br>vii. National Diploma = (5 points)<br>viii. No qualification = (0 point) | ❖ Attach Professional body accreditation for Lead Professional. (NB: CV will be disqualified if staff not accredited with a professional body). |           |       |
| <b>Methodology &amp; Proposal</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                 | <b>35</b> |       |

| Evaluation Criteria                                                                                                                                                                                                                                                                                                                                                        | Type of Evidence Required                                                                                                                                                                                                                                                                                                                          | Weight            | Score |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|-------|
| ❖ Demonstrate methodology of project implementation; quality and completeness of the proposal submitted.                                                                                                                                                                                                                                                                   | ❖ Comprehensive proposal submitted addressing all the requirements as per tender scope.                                                                                                                                                                                                                                                            |                   |       |
| ❖ Demonstrate methodology of project implementation of the proposal submitted. This should cover: <ul style="list-style-type: none"> <li>i. Initiating process (5 points)</li> <li>ii. Planning process (5 points)</li> <li>iii. Executing process (5 points)</li> <li>iv. Monitoring and controlling process (5 points)</li> <li>v. Closing process (5 points)</li> </ul> | ❖ Detailed Methodology with full demonstration of technical capacity & capability to strictly deliver any project within the stipulated timeframe.                                                                                                                                                                                                 |                   |       |
| ❖ Quality Assurance System – bidder is SANS 9000 or ISO 9001 accreditation = <b>10 points</b>                                                                                                                                                                                                                                                                              | ❖ Bidder to provide SANS accreditation in terms of their manuals and processes.                                                                                                                                                                                                                                                                    |                   |       |
| <b>Firm References</b><br>❖ Provide documented evidence of previous work done within the infrastructure development discipline similar to the tender scope.<br><br>❖ <b>Reference letters will be allocated maximum of 20 points, of which 5 points will be allocated for each valid reference letter.</b>                                                                 | ❖ Reference letters on client letterhead signed by an authorized person & dated with contactable details, summary of completed relevant project/projects and the value of works of similar nature to the scope of this bid.<br><br>❖ NB: Legal Aid SA reserve the right to verify the letters & any misrepresentation shall disqualify the bidder. | <b>20</b>         |       |
| <b>Total Score</b>                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                    | <b>100 Points</b> |       |
| <b>Minimum score required</b>                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                    | <b>60 points</b>  |       |

## 11. PROCESS POST SUCCESSFUL SELECTION OF PRE-APPROVED BIDDERS

11.1 Legal Aid SA aims to appoint a panel of pre-qualified Panel of Professional Team (PPT) for a period of thirty-six (36) months. Once appointed, each service provider will be on the panel to be contracted when a need arises from Legal Aid SA for any particular built environment project. This means that having pre-qualified for and being appointed to the panel and signing a framework agreement, does not automatically guarantee that any member of the panel will be awarded any work by Legal Aid SA during the term of this contract. Members of the panel will be allowed to bid on each project identified by Legal Aid SA in accordance with the terms of reference that will be issued out on the RFQ process

- 11.2 All bidders who achieved the minimum total point scored on functionality of 60 points.
- 11.3 Bidders will be invited via a Request for Quotation (RFQ) process per terms of reference for each specific project to provide Legal Aid SA with a detailed costed price proposal as will be outlined in the RFQ in line with scope of work specific to each project and as per professional discipline they qualified for.
- 11.4 For contractors, the Construction Industry Development Board (CIDB) level requirements will apply for the invitation process. The appointed contractor will be published on the CIDB website upon appointment and project completion.
- 11.5 RFQ Proposal will be evaluated based on B-BBEE & Price in accordance with the preference point system of either 80/20 or 90/10 in accordance with the approved Treasury regulation at the time of the RFQ invitation been send out bearing in mind the panel will be appointed for a period of three (3) years.
- 11.6 The Preference Point System And B-BBEE Status Level Certification Requirements as Per the Preferential Procurement Policy Framework Act, 2000 (Act No.5 Of 2000), Including Preferential Procurement Regulations, 2022 currently applicable.
- 11.7 RFQs will be issued as per terms and conditions including scope of work requirement which will be in line with Legal Aid SA's SCM Policy and processes including any treasury regulation applicable at the time of RFQ. The process will also ensure compliance to any CIDB regulation and including any changes that might occur during the duration of the appointed panel.
- 11.8 Legal Aid SA reserves the right to request the service provider to provide the assurance of financial capability to execute the work at the time of the RFQ that the Legal Aid SA will deem fit to execute the work.

**LEGAL AID SOUTH AFRICA RESERVES THE RIGHT NOT TO MAKE ANY APPOINTMENT AND SHALL NOT ENTERTAIN ANY CLAIM FOR COSTS THAT MAY HAVE BEEN INCURRED IN THE PREPARATION AND THE SUBMISSION OF THE PROPOSALS.**