



ANNEXURE A - BID SPECIFICATION FOR CO-OPERATION AGREEMENTS

The specification is for the delivery of legal services to indigent clients who would otherwise qualify for assistance by Legal Aid SA, through a Co-Operation Agreement between the successful bidder and Legal Aid SA as provided for in Chapter 5 of the Legal Aid South Africa Manual as part of the mixed model of service delivery of Legal Aid South Africa. The services are to be rendered at no cost to the recipient. The successful bidders should be non-governmental institutions, non-profit organisations, University Law Clinics and other institutions with a proven track record of rendering legal representation services to the vulnerable and indigent people.

The service must be provided by admitted legal practitioners and/or candidate attorneys. The co-operation partner must have a physical presence in the community, accessible to the public and be registered as a Legal Aid Clinic with the Legal Practice Council. This agreement is intended to be a Co-Operation Agreement between Legal Aid SA and the bidder, and it is not intended that Legal Aid SA should be the sole funder of the operation of the bidder.

The Co-Operation Agreement will be for a period of three (3) years. The services rendered by the Co-Operation Partner should involve providing legal representation to clients in civil cases, preferably with a specific focus on the following areas:

- PIE eviction matters
- Family Law matters
- Matters relating to Gender Based Violence
- Matters relating to the infringements of rights of persons with HIV/AIDS and TB
- Assistance to refugees/asylum seekers
- Children's matters
- Constitutional litigation
- Labour matters
- General civil litigation

The areas to be serviced by the Co-Operation Agreement, are set out in the table below, together with the Legal Aid SA Provincial Office responsible for the coverage area.

Province	Area	Provincial office
Limpopo	The greater Polokwane area, including Capricorn, Sekhukune	Limpopo Mpumalanga Provincial Office
Mpumalanga	- The greater Mbombela and surrounding areas - Tubatse municipality and surrounding areas	Limpopo Mpumalanga Provincial Office
Eastern Cape	- The Greater Port Elizabeth area - Makanda and surrounds - Mthatha area and surrounds - Komani and surrounds - East London and surrounds	Eastern Cape Provincial Office
Gauteng	- The Greater Johannesburg area. - The Greater Tshwane area - Moretele Municipal area and surrounds	Gauteng Provincial Office
KwaZulu-Natal	- Zululand & uMkhanyakude - uMgungundlovu - eThekweni & Ugu	KwaZulu-Natal Provincial Office
Western Cape	- Western Cape – Southern Cape - Western Cape – Vredendal and surrounds - Western Cape – Karoo and surrounds - Western Cape – Cape Metropole - Western Cape – Winelands and Boland	Western Cape Northern Cape Provincial Office
Northern Cape	- Northern Cape – Upington and surrounds - Northern Cape – Colesberg and surrounds - Northern Cape – Kimberley and surrounds	Western Cape Northern Cape Provincial Office
Free State	- Bloemfontein and surrounds - Bethlehem and surrounds - Welkom and surrounds	Free State North West Provincial Office
North West	- Mafikeng and surrounds - Tlokwe and surrounds	Free State North West Provincial Office

Bidders are required to complete Annexure B – Co-operation Agreements Application Form.

TECHNICAL PROPOSAL GUIDELINES

Table 2: Technical Proposal Guidelines below contains the guidelines for proposal responses.

Table 2: Technical Proposal Guidelines

Proposal Tab No.	Technical Proposal Section
1	Company Introduction, Relevant Experience to Provide services specified above and Proof of accreditation as law clinic with Legal Practice Council.
2	Detailed Proposal addressing the Scope of Work including the number of office/satellite offices and the proposed schedule of services to be provided at the proposed coverage areas.
3	Personnel Resumes, Qualifications, Certificates of Good Standing and Organogram.

Evaluation criteria

Pre-qualification Stage

Failure to meet any one of the below will result in the bid being disqualified

1. Proof of accredited as Law Clinics with the Legal Practice Council which is valid at the time of submission of the bid.
2. Proof that all admitted legal practitioners are in good standing with the Legal Practice Council. Proof of good standing must be valid at the time of the submission of the bid for the admitted legal practitioners that will be allocated to work on this project.
3. To complete Annexure indicating the area that they are applying for.

Functionality:

All qualifying bids would be evaluated for functionality. The following criteria and weights will be applied:

FUNCTIONALITY EVALUATION CRITERIA

Criteria 1 Accessibility for clients. The bidder must show that they have a physical presence in community by showing the number of offices or venues they deliver services from and the location of these offices or venues. 1. No Office/Satellite Office or Outreach site in community, Scoring of 0(Zero) allocated	20
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2. One (1) Office/Satellite Office/Outreach site within the community Scoring of 5 allocated 3. Two (2) to Three (3): Offices/Satellite offices/Outreach sites in community Scoring of 10 allocated 4. Four (4) to Five (5) Offices/Satellite office/Outreach sites in community Scoring of 15 allocated 5. More than Five (5) Offices/Satellite offices/Outreach sites in community Scoring of 20 allocated	
Criteria 2 Capacity of the bidder. The bidder must show an organogram of the Clinic which details the number of legal practitioners, candidate legal practitioners, the number of legal practitioners at the same office that qualify to be principals in terms of the Legal Practice Act and the Director/Principal of the Law Clinic. This criteria has a Part A and Part B. Part A is applicable to bidders who propose that only admitted legal practitioners will do the work in terms of the proposal. Such bidders will be scored out of 15 for Part A. Bidders who propose that candidate legal practitioners will be doing work in terms of their proposal will be scored in terms of Part A and B. Part B scoring relates to the capacity to supervise candidate legal practitioners. Part A will be scored out of 10 and Part B will be scored out of 5. Part A: Legal practitioners 1. No organogram = scoring of Zero (0) will be allocated 2. Organogram with less than 2 legal practitioners = scoring of 3 will be allocated 3. Organogram with less than 4 legal practitioners = scoring of 5 will be allocated 4. Organogram with less than 6 legal practitioners = scoring of 10 will be allocated 5. Organogram with 6 and more legal practitioners = scoring of 15 will be allocated Bidders who propose that candidate legal practitioners will be doing work in terms of the proposal, will be scored on Part B as well. Part A: Legal practitioners, including candidate legal practitioners 1. No organogram = scoring of Zero (0) will be allocated 2. Organogram with less than 2 legal practitioners = scoring of 2 will be allocated 3. Organogram with less than 4 legal practitioners = scoring of 4 will be allocated	15 10

4. Organogram with less than 6 legal practitioners = scoring of 7 will be allocated 5. Organogram with 6 and more legal practitioners = scoring of 10 will be allocated Part B: Legal practitioner that can act as Principal in terms of the Legal Practice Act (LPA) or the Director/Principal of the Law Clinic. 1. Bidder only has the Director of Law Clinic that can act as principal. Scoring on 1 allocated 2. Bidder has Director and less than 2 Legal Practitioner that qualify as Principal in terms of LPA. Scoring of 2 allocated 3. Bidder has Director and less than 3 Legal Practitioner that qualify as Principal in terms of LPA. Scoring of 3 allocated 4. Bidder has Director and less than 4 Legal Practitioners that qualify as Principals in terms of the LPA. Scoring of 4 allocated 5. Bidder has Director and more than 4 Legal Practitioners that qualify as principals in terms of LPA. Scoring of 5 allocated	5
Criteria 3: Track record – experience of bidder in working with the types of matters as per their proposal. 1. Less than 5 years = scoring of 5 will be allocated 2. 5 to 7 years = scoring of 15 will be allocated 3. 7 years and more = scoring of 20 will be allocated	20
Criteria 4: Track record – experience of admitted legal practitioners, allocated to this project, in working with the types of matters as per their proposal. (Average of legal experience to be considered) 1. Less than 5 years = scoring of 5 will be allocated 2. 5 to 7 years = scoring of 15 will be allocated 3. 7 years and more = scoring of 20 will be allocated	20
Criteria 5. Increasing access to justice. The bidder must show how they propose to increase access to justice by showing the geographical areas that they will cover and the types of services they will render. 1. The geographical areas the bidder will cover. The bidder must show a programme/schedule of how they propose to cover the area. Cover in this instance means that the bidder must show how many times they will be available at a location for clients to access service. 1.1. No programme/schedule Score of Zero will be allocated	Total of 25 15

1.2. Programme/Schedule with no details of venue or proposed days of service delivery at venue. Score of Zero will be allocated 1.3. Programme/Schedule with only day/dates and no venue where services will be delivered. Score of zero allocated 1.4. Programme/Schedule with dates/days where frequency is more than monthly. Score of 0 will be allocated 1.5. Programme/Schedule with dates/days once a month at a venue. Score of 5 will be allocated 1.6. Programme/Schedule with dates/days twice a month at a venue. Score of 10 will be allocated 1.7. Programme/Schedule with dates/days 3 times a month at a venue. Score of 12 will be allocated 1.8. Programme/Schedule with dates/days every week of a month and more at a venue. Score of 15 will be allocated 2. The types of legal service the bidder can render. Types of matters required: a) Refugee/Asylum seeker b) Labour Matters – Labour Review matters (Not at CCMA, Bargaining Council/Tribunal Forums) c) Infringement of rights in terms of HIV/AIDS and TB matters d) Children's Matters e) General civil litigation f) Eviction matters – PIE g) Family law matters h) Gender Based Violence matters i) Constitutional Litigation 2.1 Bidder can render 1 or 2 out of the 8 types of services. Score of 2 allocated 2.2 Bidder can render 3 – 4 of the types of legal services. Score of 4 allocated 2.3 Bidder can render 5-6 of the legal service types. Score of 6 allocated 2.4 Bidder can render 7-8 of the legal service types. Score of 8 allocated 2.5 Bidder can render all 9 types of legal services.	10
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Score of 10 allocated	
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NB: Bidders who score less than **80 points** of the 100 points for functionality will be disqualified and will not be evaluated further.

Qualifying bidders will be evaluated on Specific Goals, which is preferential points in terms of **Historically Disadvantaged individuals (HDI)** totaling up to **20 points**.

In awarding contracts, Legal Aid SA seeks to achieve the aspirations of the Constitution with regard to the empowerment of previously disadvantaged groups.

If bidder is claiming HDI points, these must be substantiated as follows (**kindly refer to form SBD 6.1 for more details and fully complete to claim the points**): -

<u>Specific goals</u>	<u>Points</u>
Historically Disadvantaged individual (HDI)	
Enterprises with ownership of 51% or more by person/s who are black person/s.	<u>10</u>
Enterprises with ownership of 51% or more by person/s who are women.	<u>5</u>
Enterprises with ownership of 51% or more by person/s who are youth.	<u>3</u>
Enterprise with ownership of 51% or more by person/s with disability.	<u>2</u>
Enterprises with ownership of less than 51% by person(s) who are black. or less than 51% by person/s who are women. or less than 51% by person/s who are youth or less than 51% by person/s with disability.	<u>0</u>
Total	<u>20</u>

Bidders must submit a valid CSD registration or B-BBEE status level verification certificate, or a sworn affidavit confirming annual turnover and level of black ownership in case of an EME and QSE as proof to substantiate the HDI points claimed as per SBD 6.1.

In an event two bidders score the same points on functionality evaluation the preferential points will be used for adjudication purposes.

BID CONDITIONS

- Bidders may be requested to attend a meeting where they will be given the opportunity to present their proposal to the bid evaluation committee.
- Bids must be submitted in line with any attached annexures and detailed specifications. Failure to bid accordingly shall invalidate the bid.
- Legal Aid SA reserves the right to award the bid to one or more service providers.
- Legal Aid SA reserves the right to award the bid in whole or only partially.
- The General Conditions of Contract as stipulated by the National Treasury will be applicable.

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.