



SOUTH AFRICAN BROADCASTING SABC SOC LIMITED
(“the SABC”)

REQUEST FOR PROPOSAL (RFP)

RFP NUMBER: RFP/LEG/2026/10252398/18

RFP TITLE: THE APPOINTMENT OF A PANEL OF LEGAL SERVICE PROVIDERS FOR A PERIOD OF 5 YEARS

EXPECTED TIMEFRAME

BID PROCESS	EXPECTED DATES
Bid Advertisement Date	18 August 2026
Bid Documents Available From	National Treasury’s tender portal (http://www.etenders.gov.za) SABC Website (http://www.sabc.co.za/sabc/tenders/)
Briefing Session Date & Time non-compulsory briefing session <i>See Annexure A (Guideline for Briefing Session)</i>	26 August 2026 @ 11:00
Venue / Link for virtual Briefing Session	Join: https://teams.microsoft.com/meet/353199539510849?p=2DUOmm3KDUFrbryzFT Meeting ID: 353 199 539 510 849 Passcode: KA6ai7Re
Bid Closing Date and Time	10 September 2026 @ 12:00pm
Contact details	tenderqueries@sabc.co.za

The SABC retains the right to change the timeframe of this bid whenever necessary and for whatever reason it deems fit.

BIDS DELIVERY

All bids must be submitted electronically via email: rfpsubmissions@sabc.co.za

Late Bid submissions will not be accepted for consideration by the SABC.

RFP/MASTER/2024-1

1. MANDATORY DOCUMENTS

All bid respondents must submit mandatory documents that comply with all mandatory requirements. Bids that do not fully comply with the mandatory requirements will be disqualified and will not be considered for further evaluation.

MANDATORY REQUIREMENT		COMPLY/ NOT COMPLY
1.	Proof of valid registration with the Legal Practice Council for the Law Firm	
2.	Valid letter of Good Standing from the Legal Practice Council for Directors/Partners and Associates	
3.	Proof of valid Fidelity Fund Insurance Cover Certificate	
4.	Proof of Professional indemnity cover reflecting the cover amount for each principal/s from the Insurance company.	

NON-SUBMISSION AND/OR PARTIAL COMPLIANCE ON ANY OF THE ABOVE MANDATORY DOCUMENTS REQUIREMENTS WILL RESULT IN DISQUALIFICATION.

2. REQUIRED DOCUMENTS

- 2.1 SARS "Pin" to validate supplier's tax matters
- 2.2 Original or Certified copy of Valid BBEE Certificate (from SANAS accredited Verification Agency)
- 2.3 All EME's and 51% black Owned QSE's are only required to obtain a **sworn affidavit** on an annual basis, confirming the following:
 - 3.3.1. Annual Total Revenue of R10 Million or less (EME) or Revenue between R10 Million and R50 Million for QSE
 - 3.3.2. Level of Black Ownership

Note 1:

Verification Agencies and Auditors who are accredited by the IRBA (Independent Regulatory Board for Auditors) are no longer the 'approved regulatory bodies' for B-BBEE verification and therefore IRBA auditors are not allowed to issue B-BBEE certificates after 30 September 2016.

Note 2:

Any misrepresentation in terms of the above constitutes a criminal offence as set out in the B-BBEE act as amended and SABC shall reject the tender.

- 2.4 Proof of Valid TV License Statement (Company's, Shareholders and all Directors'), or affidavit proving that company and/or officials are not in possession of TV licence. Verification will also be done by the SABC internally.
- 2.5 Certified copy of Company Registration Document that reflects Company Name, Registration number, date of registration and active Directors or Members.
- 2.6 Certified copy of Shareholders' certificates.
- 2.7 Certified copy of ID documents of the Directors or Members.
- 2.8 Last three years audited/reviewed financial statements OR the Companies Management Accounts.

NB: NO CONTRACT WILL BE AWARDED TO ANY BIDDERS WHOSE TAX AND TV LICENCE MATTERS ARE NOT IN ORDER.

THE WINNING BIDDER IS REQUIRED TO MAINTAIN OR IMPROVE THE B-BBEE LEVEL AT WHICH THE TENDER WAS AWARDED.

C O N T E N T S

DOCUMENT A:	CONDITIONS TO BE OBSERVED WHEN BIDDING
DOCUMENT B:	GENERAL CONDITIONS OF THE BID/PROPOSAL
DOCUMENT C:	QUESTIONNAIRE
DOCUMENT D:	DECLARATION OF INTEREST
DOCUMENT E:	FUNCTIONALITY REQUIREMENTS
DOCUMENT F:	CONFIDENTIALITY
DOCUMENT G:	PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2017- SBD 6.1
DOCUMENT H:	DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES - SBD 8
DOCUMENT I:	CERTIFICATE OF INDEPENDENT BID DETERMINATION SBD 9
DOCUMENT J:	ACCEPTANCE OF CONDITIONS OF BID
DOCUMENT K:	VENDOR FORM (SABC SUPPLIER/VENDOR REGISTRATION FORM) - (ATTACHED SEPARATELY) / PLEASE ALSO REGISTER ON CENTRALISED DATA BASE - https://secure.csd.gov.za

DOCUMENT A

CONDITIONS TO BE OBSERVED WHEN BIDDING**1.0 LODGING OF PROPOSALS**

1.1 Bidders are required to complete and sign the RFP Document and initial all pages (including proposal and brochures).

1.2 Electronic submission:

Bids must be submitted electronically and must adhere to the following:

- The single point of entry for queries is tenderqueries@sabc.co.za.
- Submissions must be submitted in a PDF format that is protected from any modifications, deletions or additions via the address rfpsubmissions@sabc.co.za.
- All submissions must be prominently marked with the full details of the tender in the email subject line namely Bidder's Name, Tender No and Tender Title.
- Bidders are advised to email submissions at least 60 minutes before the bid closing time to cater for any possible delay in transmission or receipt of the bid. The onus is on bidder to ensure that the bid is submitted on time
- Tender submissions received after submission date and time will be declared late bid submissions and will not be accepted for consideration by SABC.

1.4 The SABC will not be responsible for any failure or delay in the email transmission or receipt of the email including but not limited to:

- Receipt of incomplete bid
- File size
- Delay in transmission or late receipt of the bid
- Failure of the Bidder to properly identify the bid
- Illegibility of the bid; or
- Security of the bid data.

1.5 Bidders must ensure that bids are delivered timeously to the correct address. Bids not received in a specified manner, and by the specified time and date as set out in this RFP document will be rejected.

2.0 COMPLIANCE WITH CONDITIONS OF PROPOSAL

2.1 No alteration, amendment or variation of the submitted proposal post the closing date of this bid shall be permitted nor accepted.,

3.0 COMPLIANCE WITH TECHNICAL SPECIFICATIONS

- 3.1 All bidders are required to submit bids in accordance with stipulated technical specification as indicated on this bid document. Failure to comply with the required technical specification will result in disqualification of the bid.

4.0 SCHEDULE OF QUANTITIES

- 4.1 Bidders are required to submit a detailed Schedule of Quantities indicating how the bid amount is composed. This schedule shall contain itemised descriptions, quantities, and unit prices.

5.0 BID PRICES

- 5.1 No change in the submitted bid prices shall be accepted and/or approved by the SABC after receipt and before award of this bid.
- 5.2 All prices are to be quoted in the Republic of South African Rand inclusive of VAT.
- 5.3 All local suppliers quoting in foreign currency must convert the currency to Rands and indicate the exchange rate applicable.
- 5.4 If applicable, the prices quoted should be inclusive of all costs needed to perform the specified services, not limited to, all kinds of local guaranteed bonds, taxes and duties, customs, customs clearance, inland transportation, storage, unpacking, positioning, installation, integration and testing. The prices quoted should be inclusive of all costs for the duration of the project.
- 5.5 This bid document is not an offer to purchase, order or contract.
- 5.6 Prices must be fixed for the first year and shall, where applicable, be subject to an increase of not more than the applicable CPI.
- 5.7 Any response submitted by a Bidder is subject to negotiation and review by the SABC.

6.0 SOURCE OF SERVICE AND MATERIAL

7.0 ACCEPTANCE OF PROPOSALS

- 7.1 No bid shall be deemed to have been accepted unless and until a formal contract is prepared and signed by SABC and the winning bidder.
- 7.2 The SABC reserves the right, should it deem it necessary, to monitor every stage of the contract to ensure:
- that the directors who were awarded the bid are in control of the company and/or that changes in directors does not affect delivery of the goods/services/work adversely;

- that, if there are changes in the control of the company, these should be brought to the attention of the SABC;
- that in the event that the bid or any part thereof is to be subcontracted to another company or organisation after the bid was awarded, the Bidder/s must immediately advise the SABC and the SABC shall approve same as it deems fit;
- successful delivery of the goods/services/works in terms of the contract, or timeous termination of the contract should such action be in the best interest of the SABC;
- audit the successful Bidder's contract from time to time.

7.3 This bid will remain valid 180 (one hundred and eighty) days from the date of bid closing.

8.0 DEFAULT BY BIDDERS

8.1 If Bidders purport to withdraw their bid(s)/proposals within the period for which they have agreed that their bid/proposal shall remain open for acceptance, or fails to enter into a written contract when called upon to do so, or fails to accept an order in terms of the bid, the SABC may, without prejudice to any other legal remedy which it may have, accept their bid(s) notwithstanding the purported withdrawal, or proceed to accept any other less favourable bid or call for bids afresh and may recover from the defaulting Bidders any additional expense it has incurred for the calling for new bids or the acceptance of any less favourable bid.

9.0 AMPLIFICATION OF PROPOSALS

9.1 The SABC may, after the receipt of bids, call on the Bidder to amplify in writing any matter which is not clear in the Bidder's submission and such amplification shall form part of the original bid.

9.2 In the event of the Bidders failing to supply such information within the specified timeframe, the bid will be liable to rejection.

9.3 The SABC reserves the right to:

- contact any Bidder during the evaluation process, in order to clarify any information, without informing any other Bidders. During the evaluation process, no change in the content of the bid shall be sought, offered or permitted;
- cancel this bid at any time on the following conditions:
 - i) Change in business requirements of the Corporation.
 - ii) Budget unavailability
 - iii) Identified tender irregularity.
 - iv) Non-responsive bids

Should Bidder(s) be selected for further negotiations, they will be chosen on the basis of the greatest benefit to the SABC and not necessarily on the basis of the lowest costs.

10.0 IMPORT/EXPORT PERMITS

10.1 Bidders are required to include complete information on equipment and/or components requiring export/import permits.

11.0 COST OF BIDDING

11.1 The Bidder shall bear all costs and expenses associated with preparation and submission of its bid/proposal, and the SABC shall under no circumstances be responsible or liable for any such costs, regardless of, without limitation, the conduct or outcome of the bidding, evaluation, and selection process.

12.0 COMMUNICATION

12.1 The SABC has provided a single point of entry for any questions or queries that the Bidder may have. All queries must be submitted in writing and directed to authorised contact person. **Unauthorised communication with any other personnel or member of staff of the SABC, with regard to this bid is strongly discouraged and will result in disqualification of the respective Bidder's bid/proposal submission.**

12.2 Should there be a difference of interpretation between the Bidder and SABC; SABC reserves the right to make a final ruling on such interpretation.

12.3 The closing time for clarification of queries is 3 (three) days before the deadline for bid/proposal submission. The Bidders should take note that questions together with responses will be sent to all Bidders who attended compulsory Briefing Session.

13.0 AUTHORISED CONTACT PERSONS

13.1 All enquiries in respect of this bid must be addressed to:

Tender Office
SCM Division
Radio Park Office Block
Henley Road
Auckland Park
Johannesburg
South Africa
E-mail: tenderqueries@sabc.co.za

14.0 MISREPRESENTATION AND FRONTING IS PROHIBITED

Fronting means a deliberate circumvention or attempted circumvention of the B-BBEE Act and the Codes. Fronting commonly involves reliance on data or claims of compliance based on misrepresentations of facts, whether made by the party claiming compliance or by any other person.

It is an offence to misrepresent or provide false information regarding a company's information or engaging in a fronting practice. If there is any contravention of some sought, the SABC may open a criminal and/or civil case/s against the bidder and its directors/members in terms of applicable legislation, and restrict the bidder & its directors/members from doing business with the SABC for a pre-determined period.

It is important to note that any proposal that does not conform fully to the instructions and requirements in this RFP will be disqualified.

Bids, which do not meet the technical requirements, will not be considered for further evaluation.

END OF DOCUMENT

DOCUMENT B

GENERAL CONDITIONS OF PROPOSAL**1.0 COMPLIANCE WITH COMPLETION OF PROPOSAL**

- 1.1 The bid forms should not be retyped or redrafted, but photocopies may be prepared and used.
- 1.2 Bidders shall check the numbers of the pages and satisfy themselves that none are missing or duplicated. No liability shall be accepted in regard to claims arising from the fact that pages are missing or duplicated. Incomplete bids will result in disqualification.

2.0 COMPLIANCE WITH TECHNICAL SPECIFICATIONS

- 2.1 Unless a departure is clearly stated by the Bidder at the time of bidding, the works shall be taken as complying in detail with the Technical Specifications, and the Bidder shall be held liable on all the terms and conditions of the contract as if this bid contained no departures. Technical specifications contained in any brochures, or any other descriptions submitted shall apply for acceptance test purposes.

3.0 INSPECTION

- 3.1 The Bidder shall permit and assist the SABC's representatives in carrying out any inspections that are called for in the proposal or specifications.

4.0 RISK

- 4.1 The Bidder will be responsible for losses that SABC incurred due to Bidder's negligence or intention, and Bidder must provide Liability Insurance. This will be a condition of contract.

5.0 PAYMENT

- 5.1 The SABC's standard payment terms are 60 days from date of Invoice.

6.0 ASSIGNMENT OF CONTRACT

- 6.1 The Bidder shall not have the right to cede any right or delegate any obligation in terms of this contract to any third party unless with the prior written approval of the SABC.

7.0 PROPOSALS ARE CONSIDERED TO BE BINDING ON THE BIDDERS

- 10.1 Representations made in the bid/proposal, including claims made in respect of commitments to dates of delivery, shall be considered binding on the Bidder on acceptance of the bid/proposal by the SABC and same will be form part of the contract to be concluded, unless specifically noted by the Bidder in the bid/proposal that same maybe subject to change;

8.0 COMPLIANCE WITH SABC POLICIES

- 11.1. SABC will not procure any goods, services, works or content from any employee or employee-owned business, to ensure that suppliers competing for the SABC's business have confidence in the integrity of SABC's selection process.
- 11.2. SABC will not procure any goods, services, works or content from any SABC Independent Contractor or Independent Contractor-owned business, to ensure that suppliers competing for the SABC's business have confidence in the integrity of SABC's selection process.
- 11.3. No former employees, SABC's non-executive members and Independent Contractors will be awarded contracts with the SABC within 24 months after resigning from SABC employment or not being engaged with the SABC.
- 11.4. Should former employees, SABC's non-executive members and Independent Contractors resign from the employment of the SABC or not being engaged with the SABC and become directors of other businesses bidding with SABC, such bid will not be considered until the cooling off period of two years has expired.
- 11.5. "The SABC has a zero tolerance to theft, fraud and corruption. Such activities will be investigated and stringent action institutes such as laying of criminal charges or even removal from the SABC database of service providers. Should you suspect or become aware of any suspicious acts of fraud, theft or corruption involving SABC employees or other suppliers rendering services to the SABC, contact the SABC whistleblowers' hotline at **"0800 372 831"**

9.0 FAILURE TO COMPLY WITH THESE CONDITIONS

- 9.1 These conditions form part of the bid and failure to comply therewith will invalidate a bid.

10.0 RFP SCHEDULE

- 10.1 Bidders will be contacted as soon as practicable with a status update. At this time, short-listed Bidder/s may be asked to meet with SABC representatives. Bidders should provide a list of persons and their contact details who are mandated to negotiate on behalf of their company.

11.0 ADDITIONAL NOTES

- 11.1 All returnable documents as indicated in the bid form must be returned with the response.
- 11.2 Changes by the Bidder to his/her submission shall not be permitted after the closing date.
- 11.3 The person or persons signing the bids must be legally authorized by the Bidder to do so. A list of the person(s) authorized to negotiate on your behalf must be submitted along with the bid.
- 11.4 SABC reserves the right to undertake post-bid negotiations with the preferred Bidder or any number of short-listed Bidders.

FAILURE TO OBSERVE ANY OF THE ABOVE-MENTIONED REQUIREMENTS WILL RESULT IN THE BID BEING DISQUALIFIED.

12.0 DISCLAIMERS

- 12.1 Bidders are hereby advised that the SABC is not committed to any course of action as a result of its issuance of this Bid and/or its receipt of a bid in response to it. In particular, please note that the SABC may:
- 12.2 change all services on bid and to have Supplier re-bid on any changes.
- 12.3 reject any bid which does not conform to instructions and specifications issued herein
- 12.4 disqualify bids after the stated submission deadline
- 12.5 not necessarily accept the lowest priced bid
- 12.6 reject all bids, if it so deems fit
- 12.7 award a contract in connection with this bid at any time
- 12.8 make no award of a contract.

Kindly note that SABC will not reimburse any Bidder for any preparation costs or other work performed in connection with this bid, whether or not the Bidder is awarded a contract.

END OF DOCUMENT B

DOCUMENT C**QUESTIONNAIRE TO BE COMPLETED WHEN BIDDING**

If the information required in respect of each item cannot be inserted in the space provided, additional information may be provided on a separate sheet of paper with a suitable reference to the questionnaire number concerned.

1. Company's Treasury CSD unique registration reference number.	
2. Have your company been issued with a SARS Compliance Status PIN.	
3. If yes, please provide PIN number. The provision of the PIN will be construed as your permission to SABC Procurement to access your tax status on-line.	
4. Are you registered in terms of section 23(1) or 23(3) of the Value-added Tax Act, 1991 (Act 89 of 1991)?	
5. If so, state your VAT registration number and original current tax clearance certificate to be submitted	
6. Are the prices quoted fixed for the full period of contract?	
7. Is the delivery period stated in the bid firm?	
8. What is the address in the Republic of South Africa where an item of the type offered by you may be inspected preferably under working conditions? (Where Applicable)	
9. Where are these facilities available?	
10. What are the names and addresses of the offices where the services will be rendered from?	

*ALSO INDICATE WHICHEVER IS NOT APPLICABLE

END OF DOCUMENT C

DOCUMENT D

SBD-4
DECLARATION OF INTEREST

1.0 Any legal person, including persons employed by the state, or persons having a kinship with persons employed by the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid (includes a price quotation, advertised competitive bid, limited bid or proposal). In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons employed by the state, or to persons connected with or related to them, it is required that the bidder or his/her authorised representative declare his/her position in relation to the evaluating/adjudicating authority where-

- the bidder is employed by the state; and/or
- the legal person on whose behalf the bidding document is signed, has a relationship with persons/a person who are/is involved in the evaluation and or adjudication of the bid(s), or where it is known that such a relationship exists between the person or persons for or on whose behalf the declarant acts and persons who are involved with the evaluation and or adjudication of the bid.

2.0 In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.

2.1 Full Name of bidder or his or her representative:

.....

2.2 Identity Number:

2.3 Position occupied in the Company (director, trustee, shareholder²):

.....

2.4 Company Registration Number:

2.5 Tax Reference Number:

2.6 VAT Registration Number:

2.6.1. The names of all directors / trustees / shareholders / members, their individual identity numbers, tax reference numbers and, if applicable, employee / personnel numbers must be indicated in paragraph 3 below.

¹“State” means –

- a. any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No. 1 of 1999)
- b. any municipality or municipal entity.
- c. provincial legislature.
- d. national Assembly or the national Council of provinces; or
- e. Parliament.

²"Shareholder" means a person who owns shares in the company and is actively involved in the management of the enterprise or business and exercises control over the enterprise.

2.7 Are you or any person connected with the bidder **YES / NO**
presently employed by the state?

2.7.1 If so, furnish the following particulars:

Name of person / director / trustee / shareholder/ member:

.....

Name of state institution at which you or the person connected to the bidder is employed

.....

Position occupied in the state institution:

.....

Any other particulars:

.....

.....

.....

2.7.2 If you are presently employed by the state, did you obtain **YES/NO**
the appropriate authority to undertake remunerative
work outside employment in the state?

2.7.2.1 If yes, did you attach proof of such authority to the bid **YES / NO**

(Note: Failure to submit proof of such authority, where applicable, may result in the disqualification of the bid).

2.7.2.2 If no, furnish reasons for non-submission of such proof:

.....

.....

.....

2.8 Did you or your spouse, or any of the company's directors / **YES /NO**
trustees / shareholders / members or their spouses conduct
business with the state in the previous twelve months?

2.8.1 If so, furnish particulars:

.....

.....

2.9 Do you, or any person connected with the bidder, have any relationship (family, friend, other) with a person employed by the state and who may be involved with the evaluation and or adjudication of this bid? **YES / NO**

2.9.1 If so, furnish particulars.

2.10 Are you, or any person connected with the bidder, aware of any relationship (family, friend, other) between any other bidder and any person employed by the state who may be involved with the evaluation and or adjudication of this bid? **YES/NO**

2.10.1 If so, furnish particulars.

2.11 Do you or any of the directors / trustees / shareholders / members of the company have any interest in any other related companies whether or not they are bidding for this contract? **YES/NO**

2.11.1 If so, furnish particulars:

3.0 Full details of directors / trustees / members / shareholders.

Full Name	Identity Number	Personal Tax Reference Number	State Employee Number / Pers. Number

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4.0 DECLARATION

I, THE UNDERSIGNED (NAME)

.....

CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 2 and 3 ABOVE IS CORRECT. I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 23 OF THE GENERAL CONDITIONS OF CONTRACT SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....
Signature

.....
Date

.....
Position

.....
Name of bidder

END OF DOCUMENT D

DOCUMENT E

TECHNICAL SPECIFICATION

1. INTRODUCTION AND BACKGROUND

SABC operates in the ICT sector, which is a regulated and highly competitive space, and as a result, it requires a wide range of legal expertise across the areas of legal specialization. Through its Legal Services Division, the SABC outsources certain legal services that require execution by legal practitioners who are in private practice. The SABC wishes to appoint private Law Firms ("Law Firms") which will constitute a legal panel (the "Legal Panel") to provide services to the SABC on an "as and when required" basis for a period of 5 (five) years.

The SABC Legal Services Division will oversee and manage the services to be performed by the Legal Panel as a group of service providers.

2. SCOPE OF WORK

The scope of the legal services required relate, but not limited, to instituting or defending any legal proceedings, dispute resolution, legal representation at Courts, CCMA, Competition Commission or any other forum or tribunal, provision of legal opinions, within the following areas of the law:

- **Administrative Law** - Provide legal opinions in respect of constitutional, administrative, and international law matters, ensure technical quality, adherence to best practise and consistency with the constitution and other Acts of Parliament;
- **Commercial Law** - Advice on projects / transactions of a corporate law nature, review and advice on a broad range of complex matters, provide legal opinions on any contract related matters;
- **Procurement Law** - Experience in financial legislation like the Public Finance Management Act (PFMA), Public Procurement Act and defending and/or instituting any legal action related to procurement law or the provision of related legal opinions;
- **Competition Law** – Competition complaints, Litigation at the Competition Tribunal, Competition Appeal Court, Providing Legal advice and opinions;
- **Intellectual Property Law** – Provision of legal advice and litigation on trademarks and other intellectual property legislation.

- **Labour Law** - Drafting and reviewing of charge sheets, disciplinary and/ or labour related litigation in the various forums of South Africa including but not limited to the CCMA, Labour appeal Court and/or the Constitutional Court and provide advice on contracts of employment and related matters. Expertise in labour-related matters is required, more specifically, but not limited to Ability to prosecute senior level employees in disciplinary hearings, legal advice on procedural and substantive issues relating to disciplinary hearings conducted and Advice on disciplinary codes, policies and governing legislation
- **Broadcasting Law** – Provision of legal advice on issues relating to all spheres of broadcasting, regulatory and compliance, including, but not limited to the Broadcasting Act, the Electronic Communication Act, and ICASA Regulations;
- **Media Law** - Provide advice and have in-depth knowledge of legal regulations and frameworks governing the collection, dissemination, and consumption of information across various media platforms and related areas such as freedom of speech, censorship, intellectual property rights, and media ethics, ensuring that communication is both protected and responsibly managed,
- **Tax Law** - Knowledge of and provision of advice on legislative framework including Income Tax Act 58 of 1962, Value-Added Tax Act 89 of 1991, Tax Administration Act 28 of 2011 and other applicable taxation treaties.
- **Constitutional Law** - Provide legal opinions and handle related constitutional litigation by or against the SABC.
- **Litigation** - Attorneys are required to have an in-depth knowledge of litigation procedure in Civil Litigation in the various Courts of South Africa including but not limited to the Magistrate Court, High Court, Supreme Courts of Appeal and the Constitutional Courts
- **Dispute Resolution** - Alternative dispute resolution, mediation, and arbitration

Law Firms will be required to provide legal services in one or more of the aforesaid areas of law, on an “as and when required” basis. The bidder must indicate, in the table below, with a tick (X) a minimum one (1) to maximum of three (3) of the category/ies/area/s of law that the Law Firm is bidding for:

AREA OF LAW		PLEASE TICK (X)
1.	Constitutional Law/Administrative Law /Procurement Law;	
2.	Commercial Law;	
3.	Competition Law;	
4.	Intellectual Property Law;	
5.	Litigation and Dispute Resolution;	
6.	Labour Law;	
7.	Media Law / Broadcasting Law;	
8.	Tax Law	

SABC promotes broad-based transformation and development of small and medium firms in Legal sector and as such will appoint firms in the following categories. The bidder must indicate, in the table below (also refer to Annexure D), with a mark (X) the relevant category that they fall into:

CATEGORY	DEFINITION	MARK (X)
Category 1: Small Firm	Firm with an annual turnover of not more than R10 million	
Category 2: Medium Firm	Firm with an annual turnover greater than R10 million but below R50 million	
Category 3: Large Firm	Firm with an annual turnover greater than R50 million	

MANDATORY: Bidder must submit their last three years audited/reviewed and signed financial statements as proof of their annual turnover. Small businesses with no financial history, must submit a letter from their independent accounting firm (registered with body of accountants) confirming their financial status and management accounts. **NONE SUBMISSION WILL RESULT IN DISQUALIFICATION.**

3. NOTE: OPERATION OF THE PANEL AT IMPLEMENTATION

- The Law Firms on the Legal Panel will be engaged on an “as and when required basis”, and thus, no Law Firm will be appointed on a contracted fee retainer basis;
- The panel will operate on a Fixed/Firm price panel, and all bidders who reject the proposed fixed prices will be excluded from the panel.
- **Small and/or Black Law Firms’ Empowerment:** Where circumstances permit, especially on big complex matters, a large Law Firm may be paired with a small or medium-size Law Firm and allocate such a matter to the aforesaid pair;

4. SERVICE LEVELS

- Law Firms will be required to sign confidentiality and indemnity agreements with the SABC.
- Successful bidders will be required to sign contracts with the SABC, upon its appointment on the SABC panel and as and when the appointed Law Firm is assigned a specific matter, the Law Firm shall be required to sign a mandate on that specific matter, in terms of an engagement letter. The SABC reserves its right to terminate the mandate on such specific matters.
- The fees and disbursements of every instruction will be negotiated with the relevant firm through engagement letters.
- Panel members are not guaranteed any work under this request for proposal.
- The basis of engaging Law Firms will be on a specific instruction and "as and when required" basis.
- The SABC may at its own discretion vary an instruction to include more work or to reduce work.
- Law Firms may not cede or assign any part of its agreement with the SABC nor subcontract any part of the work assigned to them without the prior written authorization of the SABC.
- The SABC may pair some of the successful bidders to work jointly on certain big and/or complex matters by way of pairing a large Law Firm with a small or medium-size Law Firm and allocate such a matter to the aforesaid pair.
- In the aforesaid pairing process, the SABC may also identify and specify the actual work to be undertaken by each of the paired Law Firms and further prescribe the minimum number of hours to be allocated to the small Law Firm paired with a large Law Firm.
- Legal work assigned to a Law Firm within the valid contract period will be allowed to continue after the expiry of the contract period.
- Law Firms must declare any interest it has in an assignment as well as declare any possible conflict of interest with the SABC in the pursuance of the proposed assignment. In the event that any conflict of interest is discovered during the assignment, the SABC reserves the right to summarily cancel the agreement and demand that all information, documents and property of the SABC be returned. (Subject to applicable legislation)
- All copyright and intellectual property rights that may result as consequences of the work to be performed will become the property of the SABC.
- Law Firms must hand over all documents and information in any format, including copies thereof, that it received from the SABC or that it had access to during the assignment immediately after completion of the assignment.
- Law Firm must, in exercising professional judgment, in consultation with the SABC opt for a course of action that best serves the interests of the SABC.
- Law Firms are obligated to update the SABC monthly, on progress regarding any matter that they may be dealing with.

- Law Firms are obligated to consult and provide regular reports to the SABC before making and/or implementing a decision regarding any matter that it may be dealing with on behalf of the SABC.
- In conducting work for the SABC the Law Firms must take cognisance of the provisions of the relevant applicable legislation including but not limited to the PFMA and its Treasury Regulations and any other relevant public sector legislation applicable to State Owned Entities.
- Where the SABC is of opinion that there is a conflict of interest or a possible conflict of interest situation in respect of a particular Law Firm, the SABC reserves the right to decide whether to appoint the Law Firm into the SABC Legal Panel in terms of this tender, and where the conflict is identified after the appointment of such Law Firm, the SABC reserves its right to decide whether it wishes to continue to receive the services from the relevant Law Firm or not. By way of example, conflict of interest can be litigation carried by such Law Firm against the SABC. It is expected of the Law Firms to give the SABC all the facts, advice and any other information relevant or otherwise to enable the SABC in any particular matter to make an informed decision.
- The Law Firms will be expected to be efficient, act with due diligence and care and always in the best interests of the SABC.

5. EVALUATION CRITERIA

Bidders should note that only bidders who submitted and fully complied with the mandatory documents requirement of the bid shall be evaluated further for Functionality (where indicated).

Responses will be evaluated using a predetermined set of evaluation criteria. The evaluation criteria is designed to reflect the SABC's requirements in terms of identifying a suitable service provider and ensure the selection process is transparent and afford all the bidders a fair opportunity for evaluation and selection.

During the evaluation process, the SABC may require a bidder's representative to answer questions with regard to the proposal and/or require certain bidders to make a formal presentation to the evaluation team.

5.1 Functionality Evaluation

Paper based Criteria: Generic Phase 1

Evaluation Area	Evaluation Criteria	Points
YEARS OF EXPERIENCE OF THE SERVICE PROVIDER		
	Provide a comprehensive law firm's experience indicating the following: The Law Firm profile highlighting the years of experience of the responsible professionals, specializing in the Areas of Law indicated in Annexure B. - Provide certified Copies of Admission Certificates as Legal Practitioner/Attorney for the professionals of the Law Firm, Directors/Partners and Associates, who will be assigned to SABC matters, indicating a minimum of three (3) years post admission experience. (20 points) Curriculum Vitae (CVs) of professionals of the Law Firm, Directors/Partners and Associates, who will be assigned to SABC matters indicating a minimum of three (3) years' experience in each area/s of law for which the firm is bidding (annexure B). - Less than 3 years = 0 Points 3 to 5 years = 15 Points - Greater than 5 to 10 years = 17 Points - Greater than 10 years = 20 Points	40
METHODOLOGY		
	Provide plan on brief to finalisation of matter to ensure efficient delivery of quality services to the SABC. The plan must incorporate the legal workflow processes, which illustrates allocation of resources, work quality assurance and effective diarising methods for matters = (0-5 points)	10

	• brief plan demonstrates exceptional incorporation of legal workflow processes which illustrates allocation of resources, work quality assurance and effective diarising methods for matters = (5 points) • Brief plan demonstrates adequate incorporation of legal workflow processes which illustrates allocation of resources, work quality assurance and effective diarising methods for matters = (3 points) • Brief plan demonstrates poor incorporation of legal workflow processes, and which illustrates allocation of resources, work quality assurance and effective diarising methods for matters = (0 points) Provide digital file management system and storage facility with back up capability used by the firm and proof in the form of certificate/ contract or letter from service provider/ host = (0-5 points) • Provided exceptional digital file management system and storage facility with back up capability used by the firm and proof in the form of certificate/ contract or letter from service provider/ host. = (5 points) • Provided adequate digital file management system and storage facility with back up capability used by the firm and proof in the form of certificate/ contract or letter from service provider/ host. = (3 points) • Provided poor/no digital file management system and storage facility with back up capability used by the firm and poor/ no proof in the form of certificate/ contract or letter from service provider/ host. = (0 points)	
TOTAL		50

NB: Bidders must score a minimum of 41 points out of a maximum 50 points. Bidders who obtain less than 41 points will not be considered further.

Paper based Criteria: Categories/Areas of law Phase 2

Evaluation Area	Evaluation Criteria	Points
REFERENCE LETTERS		
	Provide a reference letter/s from client/s stipulating category/ area of law on the clients' letterhead where the Law Firm has within the past five (5) years provided services or is currently providing services for each of the category/ area of law (annexure B) that the Law Firm is bidding for . Letter/s must be duly signed by an authorised person with contact details (email address and/or contact number). The letter/s must stipulate the period within which the legal services were	30

	rendered. The following should be reflected (refer to Reference Letter Template on Annexure (C)). NB: REFERENCE LETTERS FROM SABC WILL NOT BE ACCEPTED Each letter/s must meet ALL of the following requirements in order to be accepted for evaluation. The reference letter must: 1. <i>Be on the client company's letterhead</i> 2. <i>Be signed by an authorised client representative</i> 3. <i>Stipulate the client contact details (name, contact number and email)</i> 4. Be within the past five (5) years 5. <i>Stipulate the Category/areas of law and services rendered.</i> Each category/area or law bidding must have a reference. Each letter must reference one category/area of law bidding for. One letter per category, per client for each category/area of law bidding for. 6. <i>Stipulate the Period of rendering services (Month/Year)</i> 7. <i>Service rate by the client</i> Letters that do not meet all the above requirements will be automatically disqualified • No references letter = (0 points) • one (1) reference letter from a client for the category/area of law bidding for = (18 points) • Reference letters from a minimum of two (2) different clients. One letter per category, per client for two (2) categories/areas of law bidding for = (24 points) • Reference letters from a minimum of three (3) different clients. One letter per category, per client for three (3) categories/areas of law bidding for = (30 points)	
BRIEF SUMMARY OF MATTERS IN SPECIFIC AREA		
	Provide a brief summary of matters handled relating to the category/ies/area/s of law specifying the nature of the work conducted as per the category/ries listed in Annexure B for which the bidder is bidding. The bidder must illustrate expertise by providing a brief summary which must include, the legal work/issue/s, advice given, action taken, fulfilling client's mandate/ outcome. Provide the contact details of person responsible for the matter and where applicable state the reference number/ matter code. The brief summaries of matters listed must not be less than the minimum of one (1) and is limited to the maximum of three (3) (1 x for each category/area of law bidding for) • No brief summary for matters categories/areas of law = 0 points	20

	- one (1) brief summary illustrate expertise for category/area of law bidding for = 14 points - two (2) brief summaries illustrate expertise for categories/areas of law bidding for = 17 points - three (3) brief summaries illustrate expertise for categories/areas of law bidding for = 20 points	
TOTAL		50

Based on the number of categories bidding for, minimum threshold applicable are as follow:

- 32 points for bidders that are bidding for 1 categories/areas of law
- 38 points for bidders that are bidding for 2 categories/areas of law
- 44 points for bidders that are bidding for 3 categories/areas of law

Bidders who obtain less than threshold points based on the number categories/areas of law they are bidding for will be declared non-responsive and will be eliminated from further evaluation.

1.1 Objective Criteria

- 1.1.1** The SABC reserves the right not to consider proposals from bidders who are currently in litigation with the SABC.
- 1.1.2** The SABC further reserves the right not to include in the panel any bidder based on the proven poor record of accomplishment of the bidder in previous projects within the SABC.
- 1.1.3** Bidders who are blacklisted or have committed other acts of fraud and misrepresentation of facts e.g. tax compliance, BBBEE, company financials, etc. will be eliminated from the bid process.
- 1.1.4** No SABC former employees shall be awarded contracts with the SABC within 24 months after termination of employment with the SABC.
- 1.1.5** Should employees resign or retire from the employment of the SABC and become directors of other businesses tendering with the SABC, such tender shall not be considered until the cooling off period of 24 (twenty-four) months has expired.
- 1.1.6** Should the employee be dismissed from SABC employment, such an employee shall be prohibited from conducting business with SABC for a period of 5 (five) years from the date of dismissal.
- 1.1.7** Should the employee be found guilty in a court of law due to criminal conduct/act, such employee will not be considered to do/conduct business with SABC, until the criminal record has been legally expunged.
- 1.1.8** The SABC shall not procure any goods, services, works or Content from any Board member or Board member owned business, to ensure that suppliers competing for the SABC's business have confidence in the integrity of SABC's selection process.
- 1.1.9** Should the SABC's Board members no longer serve on the SABC Board but become directors of other companies, the SABC shall not conduct business with those companies until the cooling off period of 24 (twenty-four) months has expired.
- 1.1.10** Should the Board member be found guilty in a court of law due to criminal conduct/act, such Board member will not be considered to do/conduct business with SABC, until the criminal record has been legally expunged.
- 1.1.11** The SABC shall not procure any goods, services, works or Content from any independent contractor or independent contractor owned business, to ensure that suppliers competing for the SABC's business have confidence in the integrity of SABC's selection process.
- 1.1.12** Should the Independent Contractor no longer be contracted to the SABC but become directors of other companies, the SABC shall not conduct business with those companies until the cooling-off period of 24 (twenty-four) months has expired.
- 1.1.13** Should the Independent Contract be found guilty in a court of law due to criminal conduct/act, such employee will not be considered to do/conduct business with SABC, until the criminal record has been legally expunged.

END OF DOCUMENT E

ANNEXURES TO DOCUMENT E:

Annexure B: Categories/ Area of Law

Annexure C: Reference Letter Template (attached separately)

Annexure D: Brief Summary of Matters (attached separately)

Annexure E: Size of Law firm

Annexure F: Cost Model

DOCUMENT F**CONFIDENTIALITY**

All information related to this bid both during and after completion is to be treated with strict confidence. Should the need however arise to divulge any information gleaned from the service which is either directly or indirectly related to the SABC, written approval to divulge such information will have to be obtained from SABC.

The bidders must ensure that confidential information is maintained confidential; not disclosed to or used by any unauthorised person; so as to prevent any disclosure or unauthorised use with at least the standard of care that bidders maintain to protect their own confidential information; only used for the purpose of considering and responding to this RFP; and not reproduced in any form except as required for the purpose of considering and responding to this bid. Bidders must ensure that: access to confidential information is only given to those of its partners, officers, employees and advisers who require access for the purpose of considering and responding to this RFP; and those partners, officers, employee and advisers are informed of the confidential information section and keep that information confidential. This bid remains at all times the property of the SABC. No rights other than as provided in this bid and in respect of the confidential information are granted or conveyed to bidder/s

NAME OF BIDDER: _____

PHYSICAL ADDRESS: _____

RFP/MASTER/2024-1

Bidder's contact person:

Name: _____

Telephone: _____

Mobile: _____

Fax.: _____

E-mail address: _____

END OF DOCUMENT F

DOCUMENT G:

SBD 6.1

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022

This preference form must form part of all bids invited. It contains general information and serves as a claim form for preference points for Specific Goals.

NB: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF B-BBEE, AS PRESCRIBED IN THE PREFERENTIAL PROCUREMENT REGULATIONS, 2022.

1.0 GENERAL CONDITIONS

1.1 The following preference point systems are applicable to all bids:

- the **80/20** system for requirements with a Rand value above R50 000 (all applicable taxes included).
- the **90/10** system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

2.0 DEFINITIONS

- 2.1 **"All applicable taxes"** includes value-added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies;
- 2.2 **"B-BBEE"** means broad-based black economic empowerment as defined in section 1 of the Broad -Based Black Economic Empowerment Act;
- 2.3 **"B-BBEE status level of contributor"** means the B-BBEE status received by a measured entity based on its overall performance using the relevant scorecard contained in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- 2.4 **"bid"** means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of services, works or goods, through price quotations, advertised competitive bidding processes or proposals;
- 2.5 **"Broad-Based Black Economic Empowerment Act"** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- 2.6 **"Comparative price"** means the price after the factors of a non-firm price and all unconditional discounts that can be utilized have been taken into consideration;

- 2.7 **“Consortium or joint venture”** means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract;
- 2.8 **“contract”** means the agreement that results from the acceptance of a bid by an organ of state;
- 2.9 **“EME”** means any enterprise with an annual total revenue of R10 million or less as per the Amended Codes of Good Practice (COGP).
- 2.10 **“Firm price”** means the price that is only subject to adjustments in accordance with the actual increase or decrease resulting from the change, imposition, or abolition of customs or excise duty and any other duty, levy, or tax, which, in terms of the law or regulation, is binding on the contractor and demonstrably has an influence on the price of any supplies, or the rendering costs of any service, for the execution of the contract;
- 2.11 **“functionality”** means the measurement according to predetermined norms, as set out in the bid documents, of a service or commodity that is designed to be practical and useful, working or operating, taking into account, among other factors, the quality, reliability, viability and durability of a service and the technical capacity and ability of a bidder;
- 2.12 **“non-firm prices”** means all prices other than “firm” prices;
- 2.13 **“person”** includes a juristic person;
- 2.14 **“Rand value”** means the total estimated value of a contract in South African currency, calculated at the time of bid invitations, and includes all applicable taxes and excise duties;
- 2.15 **“Total revenue”** bears the same meaning assigned to this expression in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- 2.16 **“trust”** means the arrangement through which the property of one person is made over or bequeathed to a trustee to administer such property for the benefit of another person; and
- 2.17 **“trustee”** means any person, including the founder of a trust, to whom property is bequeathed in order for such property to be administered for the benefit of another person.

3.0 ADJUDICATION USING A POINT SYSTEM

- 3.1 The bidder obtaining the highest number of total points will be awarded the contract.
- 3.2 Preference points shall be calculated after prices have been brought to a comparative basis taking into account all factors of non-firm prices and all unconditional discounts.
- 3.3 Points scored must be rounded off to the nearest 2 decimal places.
- 3.4 If two or more tenderers score an equal total number of points, the contract must be awarded to the tenderer that scored the highest points for specific goals.

3.5 If two or more tenderers score equal total points in all respects, the award must be decided by the drawing of lots.

4.0 AWARDED FOR PRICE

4.1 THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

A maximum of 80 or 90 points is allocated for price on the following basis:

$$\begin{array}{ccc} 80/20 & \text{or} & 90/10 \\ P_s = 80 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right) & \text{or} & P_s = 90 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right) \end{array}$$

Where

P_s = Points scored for comparative price of bid under consideration

P_t = Comparative price of bid under consideration

$P_{\min}$ = Comparative price of lowest acceptable bid

4.2 Points awarded for Specific Goals

In terms of Regulation 4 (1) 5 (1) and 6 (1) of the Preferential Procurement Regulations, preference points must be awarded to a bidder for submitting evidence for specific goals claimed in accordance with the table below:

4.3 SPECIFIC GOALS TABLE

SPECIFIC GOALS	80/20	90/10
EME/SME 51% owned by Black people	10	4
51% owned by Black people;	5	3
51% owned by Black people who are women	3	2
Black Youth	2	1

NB: Bidders must submit evidence for every specific goal claimed and points will be awarded in accordance with the evidence as submitted by the bidder. The bidder who does not meet the specific goals will not be disqualified but score zero.

5.0 BID DECLARATION

5.1 Bidders who claim points in respect of Specific Goals must complete the following:

5.2 **SPECIFIC GOALS POINTS CLAIMED IN TERMS OF SPECIFIC GOALS TABLE**

5.3 **Specific Goals Points claimed: = (maximum of 10 or 20 points)**

(Points claimed in respect of paragraph 5.3 must be in accordance with the table reflected in paragraph 4.3 and must be substantiated by means of evidence as described table 5.4

5.4 **EVIDENCE TO BE SUBMITTED FOR SPECIFIC GOALS**

Specific Goals	Acceptable Evidence
B-BBEE	Valid BEE Certificate / Sworn Affidavit (in case of JV, a consolidated scorecard will be accepted)
Black Women Owned	Certified ID Documents of the Owners/shareholder
Black Youth owned	Certified ID Documents for the Owners
EME or QSE 51% Black Owned	Annual Financial/ Management Accounts/ B-BBEE Certificate / Affidavit/ Certified ID Documents of the Owners/shareholder
51% Black Owned	CIPC Documents / B-BBEE Certificate/Affidavit/ Certified ID Documents of the Owners/shareholder
South African Enterprises	CIPC Documents

6.0 **DECLARATION WITH REGARD TO COMPANY/FIRM**

6.1 Name of company/firm:

.....

6.2 VAT registration number:

.....

6.3 Company registration number

.....

6.4 Type Of Company/ Firm

- ☐ Partnership/Joint Venture / Consortium
- ☐ One person business/sole propriety
- ☐ Close corporation
- ☐ Company
- ☐ (Pty) Limited

[TICK APPLICABLE BOX]

6.5 Describe Principal Business Activities

.....

.....

.....

.....

Company Classification

- ☐ Manufacturer
- ☐ Supplier
- ☐ Professional service provider
- ☐ Other service providers, e.g. transporter, etc.

[TICK APPLICABLE BOX]

6.6 Total number of years the company/firm has been in business?

6.7 I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBE status level of contribution indicated in paragraph 7 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:

- (i) The information furnished is true and correct.
- (ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form.
- (iii) In the event of a contract being awarded as a result of points claimed as shown in paragraph 7, the contractor may be required to furnish documentary proof to the satisfaction of the SABC that the claims are correct.
- (iv) If the B-BBEE status level of contribution has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the SABC may, in addition to any other remedy it may have.
 - (a) disqualify the person from the bidding process.
 - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct.
 - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation.
 - (d) restrict the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, from obtaining

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business from any organ of state for a period not exceeding 10 years, after the audi alteram partem (hear the other side) rule has been applied; and

(e) forward the matter for criminal prosecution.

WITNESSES:

1.

.....

SIGNATURE(S) OF BIDDER(S)

2.

DATE:

ADDRESS:

.....
RFP/MASTER/2024-1
.....

.....

END OF DOCUMENT G

DOCUMENT H

SBD 8

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

- 1.0** This Standard Bidding Document must form part of all bids invited.
- 2.0** It serves as a declaration to be used by institutions in ensuring that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system.
- 3.0** The bid of any bidder may be disregarded if that bidder, or any of its directors have-
- a. abused the institution's supply chain management system;
 - b. committed fraud or any other improper conduct in relation to such system; or
 - c. failed to perform on any previous contract.
- 4.0** In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.

Item	Question	Yes	No
4.1	Is the bidder or any of its directors listed on the National Treasury's Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector? (Companies or persons who are listed on this Database were informed in writing of this restriction by the Accounting Officer/Authority of the institution that imposed the restriction after the <i>audi alteram partem</i> rule was applied). The Database of Restricted Suppliers now resides on the National Treasury's website(www.treasury.gov.za) and can be accessed by clicking on its link at the bottom of the home page.	Yes ☐	No ☐
4.1.1	If so, furnish particulars:		
4.2	Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)? Register for Tender Defaulters can be accessed on the National Treasury's website (www.treasury.gov.za) by clicking on its link at the bottom of the home page.	Yes ☐	No ☐
4.2.1	If so, furnish particulars:		
4.3	Was the bidder or any of its directors convicted by a court of law (including a court outside of the Republic of South Africa) for fraud or corruption during the past five years?	Yes ☐	No ☐

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4.4	Was any contract between the bidder and any organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	Yes ☐	No ☐
4.4.1	If so, furnish particulars:		

CERTIFICATION

I, THE UNDERSIGNED (FULL NAME)

CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM IS TRUE AND CORRECT.

I ACCEPT THAT, IN ADDITION TO CANCELLATION OF A CONTRACT, ACTION MAY BE TAKEN AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

RFP/MASTER/2024-1
END OF DOCUMENT H

DOCUMENT I

SBD 9**CERTIFICATE OF INDEPENDENT BID DETERMINATION**

- 1.0 This Standard Bidding Document (SBD) must form part of all bids¹ invited.
- 2.0 Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging). ² Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.
- 3.0 Treasury Regulation 16A9 prescribes that accounting officers and accounting authorities must take all reasonable steps to prevent abuse of the supply chain management system and authorizes accounting officers and accounting authorities to:
- a. disregard the bid of any bidder if that bidder, or any of its directors have abused the institution's supply chain management system and or committed fraud or any other improper conduct in relation to such system.
 - b. cancel a contract awarded to a supplier of goods and services if the supplier committed any corrupt or fraudulent act during the bidding process or the execution of that contract.
- 4.0 This SBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.
- 5.0 In order to give effect to the above, the attached Certificate of Bid Determination (SBD 9) must be completed and submitted with the bid:

¹ Includes price quotations, advertised competitive bids, limited bids and proposals.

² Bid rigging (or collusive bidding) occurs when businesses, that would otherwise be expected to compete, secretly conspire to raise prices or lower the quality of goods and / or services for SABCs who wish to acquire goods and / or services through a bidding process. Bid rigging is, therefore, an agreement between competitors not to compete.

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, submitting the accompanying bid:

RFP TITLE: RFP/LEG/2026/10252398/18 THE APPOINTMENT OF PANEL OF LEGAL SERVICE PROVIDERS FOR A PERIOD OF 5 YEARS

in response to the invitation for the bid made by:

(South African Broadcasting Corporation SOC Limited "SABC")

do hereby make the following statements that I certify to be true and complete in every respect:

I certify, on behalf of: _____ that:
(Name of Bidder)

1. I have read and understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:
 - (a) has been requested to submit a bid in response to this bid invitation;
 - (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
 - (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder
6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium³ will not be construed as collusive bidding.
7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
 - (a) prices;
 - (b) geographical area where product or service will be rendered (market allocation)
 - (c) methods, factors or formulas used to calculate prices;

- (d) the intention or decision to submit or not to submit, a bid;
 - (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
 - (f) bidding with the intention not to win the bid.
8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.
9. The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.

³ Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.

10. I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

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.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

END OF DOCUMENT I

DOCUMENT J**ACCEPTANCE OF CONDITIONS OF BID**

By signing the BID document, the Bidder is deemed to acknowledge and accept that all the conditions governing this BID, including those contained in any printed form stated to form part thereof and SABC Limited will recognize no claim for relief based on an allegation that the Bidder overlooked any such condition or failed properly to take it into account for the purpose of calculating bided prices or otherwise.

SIGNED at _____ this _____ day _____ of _____ 2026.

NAME OF COMPANY _____

NAME OF THE SIGNATORY (IES) _____

CAPACITY: _____

Are you authorised to sign on behalf of the company (YES/NO) _____

WITNESSES:

1. _____

2. _____

BIDDER

END OF DOCUMENT J**END OF THE REQUEST FOR PROPOSAL DOCUMENT**

GUIDELINE FOR BRIEFING SESSION

Applicable where Briefing Sessions are not compulsory or mandatory:

- Bidders are requested to submit their queries related to the bid via email
- Bidders must send their queries to the Bid Office via the email tenderqueries@sabc.co.za
- It is recommended that queries be submitted at least within 10 days after the tender has been advertised on the National Treasury E-Tender Portal and the SABC Website.
- The Bid Office will forward the queries to the Bid Specification Team for relevant response(s).
- All queries and responses will be consolidated into a schedule of questions and answers and published on all the platforms that were utilized to advertise the tender 5 days before the closing of the bid.

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ANNEXURE B: CATEGORIES/ AREA OF LAW
ANNEXURE B: Categories/ Area of Law

The law firms are required to tick a minimum one (1) up to a maximum of three (3) areas of expertise ONLY that they are bidding for.

AREA OF LAW		PLEASE TICK (X)
1.	Constitutional Law/Administrative Law /Procurement Law	
2.	Commercial Law	
3.	Competition Law	
4.	Intellectual Property Law	
5.	Labour Law	
6.	Media Law / Broadcasting Law	
7.	Tax Law	
8.	Litigation and Dispute Resolution	

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ANNEXURE F: COST MODEL

The Bidder shall bear all costs and expenses associated with the delivery of its services, and the SABC shall under no circumstances be responsible or liable for any such costs, regardless of, without limitation, to the delivery of the Legal Services.

RATES/FEE SCHEDULE

NAME OF KEY PERSONNEL	ROLE / RESPONSIBILITY	RATE PER HOUR excluding Vat	RATE PER HOUR Including Vat
Director			
Associate			
Candidate Attorney			

Fee Structure: Fees should be indicated in an hourly rate. Distinction should be made between fees for Director/Partner, Associate and Candidate Attorney.

ANNEXURE E: CATEGORIES BY SIZE OF LAW FIRM

SABC promotes broad-based transformation and development of small and medium firms in Legal sector and as such will appoint firms in the following categories. The bidder must indicate, in the table below), with a mark (X) the relevant category that they fall into:

CATEGORY	DEFINITION	MARK (X)
Category 1: Small Firm	Firm with an annual turnover of not more than R10 million	
Category 2: Medium Firm	Firm with an annual turnover greater than R10 million but below R50 million	
Category 3: Large Firm	Firm with an annual turnover greater than R50 million	

Bidder must submit their last three years reviewed /audited and signed financial statements as proof of their annual turnover. Small businesses with no financial history, must submit a letter from their independent accounting firm (registered with body of accountants) confirming their financial status and management accounts.

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