



## INVITES SERVICE PROVIDERS TO SUBMIT AN OFFER FOR THE FOLLOWING QUOTATION:

<b>QUOTATION DATE:</b>	<b>24 January 2025</b>
<b>QUOTATION NUMBER:</b>	<b>RFQ 07_2024-2025</b>
<b>QUOTATION TITLE:</b>	<b>PROVISION OF INTERIM LEGAL SERVICES TO THE SENQU MUNICIPALITY</b>
<b>CLOSING DATE:</b>	<b>31 January 2025</b>
<b>ADDRESS OF MUNICIPALITY:</b>	<b>19 Murray Street, Lady Grey, 9755</b>
<b>TECHNICAL ENQUIRIES:</b>	<b>Ms. N. Majikela – 051 603 1338</b>
<b>SCM ENQUIRIES:</b>	<b>Mr. N. Ngwenya – 051 603 1349</b>

### REQUEST FOR QUOTATION

Comments: Please provide us with a quotation for the items / services specified hereunder where applicable, or in accordance with the attached specification:

#### **SPECIFICATION**

<b>ITEM NO</b>	<b>DESCRIPTION</b>	<b>QUANTITY</b>
1	As per the scope in the attached annexure marked as 'Annexure A'	1

Please Note:

1. Quotations should be valid for at least 90 Days.
2. Please indicate your delivery period: \_\_\_\_\_
3. Is the delivery period firm, **yes, or no?** \_\_\_\_\_
4. Is/ are the price(s) firm for the duration of the contract, **yes, or no?** \_\_\_\_\_
5. All prices must be **VAT inclusive**, where the bidder is a registered VAT vendor.
6. No quotations received after the closing time and date will be accepted.
7. It is the responsibility of the tenderer to verify the receipt of any emails forwarded to the municipality.
8. Quotations submitted by joint ventures, consortia, partnerships shall be accompanied by a joint venture, consortium, partnership agreement, in which it is defined precisely the conditions under which the joint venture, consortium or partnership will function, its period of duration, the persons authorised to represent and obligate it, the participation of the several firms of which it is formed, and any other information necessary to permit a full appraisal of its functioning.

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**9. Minimum score for Functionality:**

<p><b>3.2.1.1.4</b></p>	<p>Minimum score for functionality Only those tenders submitted by tenderers who achieve the minimum score for functionality as stated below will be declared responsive. The description of the functionality criteria and the maximum possible score for each is shown in the table below. The score achieved for functionality will be the sum of the scores achieved, in the evaluation process, for the individual criteria.</p> <table border="1" data-bbox="347 434 1362 651"> <thead> <tr> <th data-bbox="347 434 1230 506">Criteria</th> <th data-bbox="1230 434 1362 506">Weight</th> </tr> </thead> <tbody> <tr> <td data-bbox="347 506 1230 577">1. Company Experience in local government, commercial &amp; contract law</td> <td data-bbox="1230 506 1362 577">60</td> </tr> <tr> <td data-bbox="347 577 1230 651">2. Personnel qualification</td> <td data-bbox="1230 577 1362 651">40</td> </tr> </tbody> </table> <p>The minimum qualifying score for functionality is <b>80 out of a maximum of 100</b>.</p> <p>Where the entity tendering is a Joint Venture, Consortium, or reliant upon sub-contractors, the tender must be accompanied by a statement describing exactly what aspects of the work will be undertaken by each party to the tendering entity. Tenderers shall ensure that all relevant information has been submitted with the tender offer in the prescribed format to ensure optimal scoring of functionality points for each Evaluation Criteria.</p> <p>Failure to provide all information <b>IN THIS TENDER SUBMISSION</b> could result in the tenderer not being able to achieve the specified minimum scoring.</p> <p>A more detailed explanation of the functionality criteria is given below:</p> <p>The following criteria will be used to calculate points for functionality of Service providers tender offers, and Service providers must ensure that they submit all information and required evidence to be evaluated in terms of functionality on the criteria mentioned in the tables below:</p>	Criteria	Weight	1. Company Experience in local government, commercial & contract law	60	2. Personnel qualification	40
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1. Company Experience in local government, commercial & contract law	60						
2. Personnel qualification	40						
	<p><b>CRITERIA 1:</b> Company Experience in local government, commercial &amp; contract law = Max 60 points:</p> <hr/> <p><b>WHAT IS EVALUATED:</b> Company Experience in providing legal services in Local Government and Contract Law</p>						
	<table border="1"> <tr> <td data-bbox="347 1525 756 1599"><b>EVIDENCE REQUIRED:</b></td> <td data-bbox="756 1525 1382 1599">Client reference letters with relevant case law where the bidder was involved.</td> </tr> </table>	<b>EVIDENCE REQUIRED:</b>	Client reference letters with relevant case law where the bidder was involved.				
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	<p><b>HOW WILL POINTS BE ALLOCATED:</b></p>	<p>Points will be allocated as per table below.</p> <p>More than 15 years' experience in providing legal services in Local Government and Contract Law= <b>60 points</b></p> <p>More than 10 years but to 15 years' experience in providing legal services in Local Government and Contract Law = <b>50 points</b></p> <p>5 years to 10 years' experience in providing legal services in Local Government and Contract Law =<b>40 points</b></p> <p>Less than 5 years' experience in providing legal services in Local Government and Contract Law = <b>0 Points</b></p>
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	<p><b>CRITERIA 2: Personnel Qualifications= Max 40 points:</b></p> <hr/> <p><b>WHAT IS EVALUATED:</b> Academic Qualification of the Key Personnel</p>	
	<p><b>EVIDENCE REQUIRED:</b></p>	<p>Certified copies of qualifications and admissions per nominated key personnel member.</p>
	<p><b>HOW WILL POINTS BE ALLOCATED:</b></p>	<p>Points will be allocated as per table below.</p> <p>Qualifications of nominated key personnel specific to this tender:</p> <p>(a) Master's degree in law = 40 Points  (b) Honours degree in law = 30 Points  (c) Degree in law or relevant field = 20 Points</p>

10. The **80/20 preference point system** will apply, and the lowest acceptable tender will be used to determine the applicable preference point system. The evaluation criteria of the tender are on price and preference points.

Preference points to be allocated as follows:

SPECIFIC GOALS	NUMBER OF POINTS ALLOCATED	DOCUMENT TO BE SUBMITTED
Points for historically disadvantaged persons by unfair discrimination based on race, gender or disability	10	Valid BBBEE Certificate or Sworn Affidavit (original document / original certified copy)
Points for Locality (Contractors domiciled in the Senqu Local Municipality)	10	<b>Where the tenderer is the owner of the property of the business:</b> (1) Municipal account registered in the name of the tenderer; • <b>Where the tenderer is not the owner of the property of the business:</b> (1) A valid lease agreement; or (2) Affidavit from the property owner that the address used to claim points in the MBD 6.1 is being rented out to the tenderer at no cost. (3) <b>Where the tenderer is the owner of the property of the business that is not yet formalised:</b> 1) Proof of Address by Local Ward Councillor confirming that the owner is indeed operating a business from the premises
Points for Locality (Contractors domiciled in the Joe Qqabi District Municipality)	5	<b>Where the tenderer is the owner of the property of the business:</b> (1) Municipal account registered in the name of the tenderer; • <b>Where the tenderer is not the owner of the property of the business:</b> (1) A valid lease agreement; or (2) Affidavit from the property owner that the address used to claim points in the MBD 6.1 is being rented out to the tenderer at no cost. (3) <b>Where the tenderer is the owner of the property of the business that is not yet formalised:</b> 1) Proof of Address by Local Ward Councillor confirming that the owner is indeed operating a business from the premises
Points for Locality (Contractors domiciled in the Eastern Cape Province)	2	<b>Where the tenderer is the owner of the property of the business:</b> (1) Municipal account registered in the name of the tenderer; • <b>Where the tenderer is not the owner of the property of the business:</b> (1) A valid lease agreement; or (2) Affidavit from the property owner that the address used to claim points in the MBD 6.1 is being rented out to the tenderer at no cost. (3) <b>Where the tenderer is the owner of the property of the business that is not yet formalised:</b> 1) Proof of Address by Local Ward Councillor confirming that the owner is indeed operating a business from the premises
Points for Locality (Contractors domiciled outside the Eastern Cape Province)	0	
<b>Total</b>	<b>20 MAX</b>	

If the bidder does not submit the required document/s to substantiate the specific goals, such a bidder will score zero (0) out of a maximum of 20 points.

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11. Pricing Schedule

**RATES Based Pricing Schedule:**

Item	Expertise required	Hourly rate	
		Senior Attorney (column A)	Junior Attorney (column B)
1,	Local Government law, Commercial & Contract law		
2.	Litigation (excluding litigation in the Regional and Magistrate's Courts)		
Subtotal Excluding Vat		R	
Vat		R	
Total inclusive of vat		R	
<b>GRAND TOTAL INCLUSIVE OF VAT (column A + B): R</b>			

**The following items will be paid as per the prescribed tariffs as outlined in the document below.**

1.	Litigation in the Regional and Magistrate's Courts	The prescribed tariff in the Magistrate's Court Rules.
2.	Transport per Kilometre as per prescribed tariff	The National Treasury Prescribed rates
3.	Accommodation (disbursement)	The National Treasury Prescribed rates

12. This **Request for Quotation must be completed** and sent to Senqu Local Municipality along with the following documents;

- (i) Official Signed Quotation
- (ii) MBD 4 Form – Declaration of Interest
- (iii) MBD 6.2 Form and Content Annexures – Declaration Certificate for Local Production and Content for Designated Sectors **(if applicable)**
- (iv) MBD 8 Form – Declaration of Bidder's Past Supply Chain Management Practices
- (v) MBD 9 Form – Certificate of Independent Bid Determination
- (vi) Tax Clearance/Compliance Certificate
- (vii) Proof of Central Supplier Database (CSD) Registration

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- (viii) BBBEE Certificate or Sworn Affidavit commissioned by Commissioner of Oaths
- (ix) Municipal Account not older than three (3) months and not over three (3) months in arrears
- (x) Company Profile indicating years of experience and organisational structure.
- (xi) **Fidelity Fund Certificate (no quotation will be considered without submission of the Fidelity Fund certificate)**
- (xii) **Proof of Admission as attorney or advocate for Key Personnel ( No quotation will be considered without submission of the admission certificate)**

I / we agree that the offer herein shall remain binding upon me / us and open for acceptance by the Senqu Local Municipality during the validity period indicated and calculated from the closing time stated above.

.....  
**Name and Capacity**

.....  
**Signature of bidder**

.....  
**Date**

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## **ANNEXURE A**

### **(14) SPECIFICATION(S)**

#### **1 TRADE NAMES OR PROPRIETARY PRODUCTS**

Bid specifications may not make any reference to any particular trademark, name, patent, design, type, specific origin or producer, unless there is no other sufficiently precise or intelligible way of describing the characteristics of the work, in which case such reference must be accompanied by the words "or equivalent".

**TENDERERS MUST NOTE THAT WHEREVER THIS DOCUMENT REFERS TO ANY PARTICULAR TRADEMARK, NAME, PATENT, DESIGN, TYPE, SPECIFIC ORIGIN OR PRODUCER, SUCH REFERENCE SHALL BE DEEMED TO BE ACCOMPANIED BY THE WORDS 'OR EQUIVALENT'**

#### **PURPOSE**

It is the intention of the Senqu Municipality to appoint a service provider (qualified & registered legal practitioners) that will carry out legal services in the arbitration / adjudication/ court proceedings for an interim period not exceeding one (1) year or finalisation of the panel for legal services tender **whichever comes first**.

#### **SECTION 1 : DETAILS**

**Province:** Eastern Cape

**Municipality:** Senqu Municipality

**Project Name:** PROVISION OF INTERIM LEGAL SERVICES TO SENQU MUNICIPALITY

#### **SECTION 2: SUMMARY OF BRIEF**

The Senqu Municipality ("the Municipality") wishes to appoint a service provider (qualified legal practitioners) to provide legal services whilst the municipality is procuring a panel of legal services. Legal proceedings have been instituted against the municipality by a certain service provider and the municipality requires legal representation on the current matter on an interim basis as indicated above.

#### **SECTION 3: PROJECT PURPOSE / OBJECTIVES AND SCOPE**

The Municipality intends to compensate an appointed legal service provider for legal proceedings mentioned above , based on the experience of the practitioner who will be providing the service where applicable:

- Local Government law, Commercial & Contract law
- Litigation (excluding litigation in the Regional and Magistrate's Courts),

#### **SECTION 4: PROJECT SCOPE OF WORK**

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The scope of work to be undertaken is to cover the following:

- Provision of legal services as the per the project description.
- To represent the municipality in an arbitration /adjudication
- To represent the municipality in court on the matter at hand should the need arise
- It is a condition for the appointed service provider to agree and undertake not to act against the Municipality for the duration of the contract.

It should be noted that the overall project cost may not exceed R300 000.00 and may not proceed for a period beyond one (1) year as per the provisions of SCM Regulation 35, as amended and Senqu LM SCM Policy.

**It should be noted that the legal matter mentioned above, will be transferred to the panel of attorneys upon procurement, should matter not be finalised by the bidder.**

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