

SCHEDULE OF QUESTIONS AND ANSWERS

BV995/2022 – RENDERING PROFESSIONAL LEGAL SERVICES FOR THE PERIOD ENDING 30 JUNE 2026

NUMBER	QUESTION	ANSWER
1.	May an affidavit be submitted with the bid rather than a Letter of Good Standing from the LPC?	The Letter of Good Standing from the LPC is one (1) of the eligibility criteria. An affidavit will not be allowed.
2.	Is it acceptable to use one company for all categories or all references?	The tender will be evaluated and awarded per category. The same company reference may be used for all categories.
3.	ELIGIBILITY CRITERIA The Legal Practice Council ("LPC") only issues Certificates of Good Standing for individual practitioners and not for law firms. Would Certificates of Good Standing for each of the individuals forming part of the Team who will provide services to the Municipality suffice?	YES
4.	ELIGIBILITY CRITERIA The LPC only issues Fidelity Fund Certificates for Partners (Partnership Firm). Would submitting the valid 2023 Fidelity Fund Certificate for each of the Partners on the Team suffice?	YES

<p>5.</p>	<p>SPECIFICATIONS</p> <p>There is no Annexure A to the tender document.</p> <p>Is this the "6. PRO-FORMA MEMORANDUM" on page 76 which you are referencing?</p> <p>How should we reference this requirement within our submission – would it be in order if we refer to the relevant pages of our proposal response/submission document as well as the supporting documentation that we will attach?</p>	<p>Annexure A is indeed the "Pro-Forma Memorandum" on page 76 of the Bid Document.</p> <p>The proposed referencing will be in order.</p>
<p>6.</p>	<p>FUNCTIONALITY</p> <p>Do you require only one Partner as a Lead attorney and other partners to be support staff (to meet the 9 years and more criteria).</p>	<p>YES</p> <p>The Bid Document (Pages 59-62) outline the functionality criteria/assessment.</p> <p>It is the prerogative of the respective bidders to thus identify its Lead Attorney and Support Staff dedicated to the specific category of service tendered for.</p>
<p>7.</p>	<p>SPECIFICATIONS</p> <p><i>"The proposed team is well integrated, the majority of the members have worked together extensively in the past 6 plus years. The team have law related speciality areas. Facilities / Infrastructure are very good".</i></p> <p><i>"Support staff have high levels of education, skills, training and experience (9 and more years)".</i></p> <p>Does the 6 years (proposed team) and 9 years (support staff), respectively, refers to individual years or the average years of the proposed team and support staff? Can we assume that this is the case given that the price schedule makes provisions for rates of attorneys with less than 5 years' experience which would require us to also include proposed team members with less than 5 years' experience?</p>	<p>The years refers to individual years of the proposed team and support staff.</p> <p>The composition of the team members is the prerogative of the respective bidders.</p>

8.	<p>AUDITED FINANCIAL STATEMENTS (AFS) – Past 3 Years</p> <p>We exist as a partnership and does not release or publish our annual financial statements as it is highly confidential. Due to reasons of confidentiality, can we provide our Auditor Report Letters for the AFS for the past 3 years?</p>	<p>As stated in the MBD5, bidders need to submit the statements as requested.</p> <p>SCM practitioners conduct themselves in accordance with the Code of Conduct and observe all the protocols applicable to Supply Chain Management. No privileged information will be disclosed to external and / or third parties. All the information about each bidder is treated with confidentiality for the purposes of evaluation of tenders.</p>
9.	<p>MUNICIPAL ACCOUNTS</p> <p>We are a partnership firm with more than 170 partners. Will it be in order if we provide you with the municipal account information in respect of our offices (leased premises), management board members and lead partners?</p>	<p>A valid lease agreement between yourself and the lessor may be submitted with the tender submission.</p>
10.	<p>DOCUMENTS OF INCORPORATION</p> <p>As we are a partnership firm, we do not have a certificate of incorporation but we can provide our partnership agreement – will this suffice?</p>	<p>The partnership agreement will suffice.</p>
11.	<p>FIRM STRUCTURE</p> <p>We are a partnership firm with over 800 employees so we cannot provide you with details of all employees for the firm. We can provide our organisational profile and details of our proposed team. Please can you advise if this will suffice for this requirement?</p>	<p>The organisational profile and details of the proposed team will suffice.</p>
12.	<p>BIDDERS CAPACITY</p> <p><i>“Teams and technical / administrative support with an exact indication of how long they have been working at the bidder firm”.</i></p>	

	Is this information on the proposed team?	YES
13.	<p>OFFICE INFRASTRUCTURE</p> <p>Please advise if details of our offices and locations will suffice?</p>	Details of offices and locations will suffice.
14.	<p><i>"All bids must be submitted in handwriting on the official forms supplied (not to be re-typed)" [GCT]</i></p> <p><i>"Written" or "in writing" means handwritten in ink or any form of electronic or mechanical writing." [GCC]</i></p> <p>Can we complete the bid forms electronically?</p>	All bids must be submitted in handwriting on the official forms supplied (not to be re-typed) as per the tender conditions.
15.	<p><i>"The Bidder must attach to this application a certified copy /copies of the identity document(s) of the owner(s), shareholder(s) with regard to propriety company, director(s) and / or Manager(s) of his / her company, close corporation, trust, partnership or, in the case of a joint venture between two or more firms, certified copies of the identity document(s) of the owner(s), shareholder(s) with regard to propriety company, director(s) and / or Manager(s) of each of the firms of the joint venture. Identity Document for Certificate of Correctness Signatory (Original Certified Copy)"</i></p> <p>Can we provide ID's for the lead partners, signing partner and board members as we are a partnership firm?</p>	YES

<p>16.</p>	<p>CERTIFICATE OF BANK DETAILS</p> <p>To replace the form attached, can we provide a bank confirmation letter that has the bank stamp included?</p> <p>Can we provide our bank confirmation letter that has a stamp included or do we need to complete the form as well?</p>	<p>The bank confirmation letter will suffice.</p>
<p>17.</p>	<p>BIDDER'S REFERENCE – ANNEXURE B</p> <p>How many reference letters are required to attain the full point complement per service area?</p> <p>May we provide reference letters from clients which are not in the format provided in the tender document (pages 77 - 88) i.e. -clients format on their letterheads?</p> <p>In many instances we have provided legal advice to a single client for multiple categories of services as referred to in this tender. Would it suffice for us to ask our client(s) to list all categories of services for which we have provided to them within a single letter (This may take the form of an appendix to the template / letter). Or would you require that the same client complete, sign and provide multiple letters for each service that we have provided them with?</p> <p>If we must have the letters in the format on pages 77 – 88 do these need to be completed in hand by our clients or can they be completed electronically (space may be insufficient).</p>	<p>As per the Bid Document (Page 60), Bidder(s) must submit at least one (1) bidder's reference per category tendered for.</p> <p>Reference letters from clients on their letterheads may be submitted in addition to Annexure B</p> <p>A single letter from client(s) listing all the categories of services provided to them will be in order.</p> <p>Annexure B (Bid Document: Pages 77-88) may be completed electronically by clients.</p>
<p>18.</p>	<p>PRE-QUALIFICATION</p> <p><i>"Bidders are required to submit at least five (5) judgements reflecting their five (5) cases in the High Courts in which they litigated successfully in the past five (5) years. The name and surname of the legal practitioner who acted in the respective</i></p>	

**matters must be clearly indicated." [HIGH COURT
EVICTIONS/INTERDICTS]**

"Bidders are required to submit at least five (5) judgements / rulings reflecting their five (5) matters in which they litigated successfully in labour review matters in the High Courts in the past five (5) years on behalf of municipalities. The name and surname of the legal practitioner who acted in the respective matters must be clearly indicated." [LABOUR LAW (REVIEW APPLICATIONS)]

"Bidders are required to submit at least five (5) judgements reflecting their five (5) cases in the High Courts in which they litigated successfully in the past five (5) years. The name and surname of the legal practitioner who acted in the respective matters must be clearly indicated." [PUBLIC PROCUREMENT LAW AND ADMINISTRATIVE LAW]

"Bidders are required to submit at least five (5) judgements reflecting their five (5) cases in the High Courts in which they litigated successfully in the past five (5) years. The name and surname of the legal practitioner who acted in the respective matters must be clearly indicated." [TOWN PLANNING AND BUILDING CONTROL]"

This information is highly confidential and protected by client privilege. We can submit redacted judgements / cases - would this suffice?

Redacted judgements / cases will suffice in matters considered to be of a confidential nature.

19.

As the High Courts in many instances only issue a Court Order and do not deliver a written judgment, would it be acceptable for us to [OR would we be compliant if we] submit the relevant Court Orders together with relevant copies and/or excerpts from the papers in and/or a short description of the matter where no written judgment has been delivered?

This will be in order.

20.	<p>Nowhere does it state the maximum distance the firm may be located. Do you have a distance requirement?</p>	<p>There is no distance requirement in the tender. Bidders should familiarise themselves with the Pricing Conditions, which outline the travelling time and costs limitations.</p>
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MS. H.C POTGIETER

05/09/2023

DATE