



APPOINTMENT OF A PANEL OF ATTORNEY FIRMS TO PROVIDE LEGAL SERVICES FOR A PERIOD OF FIVE YEARS

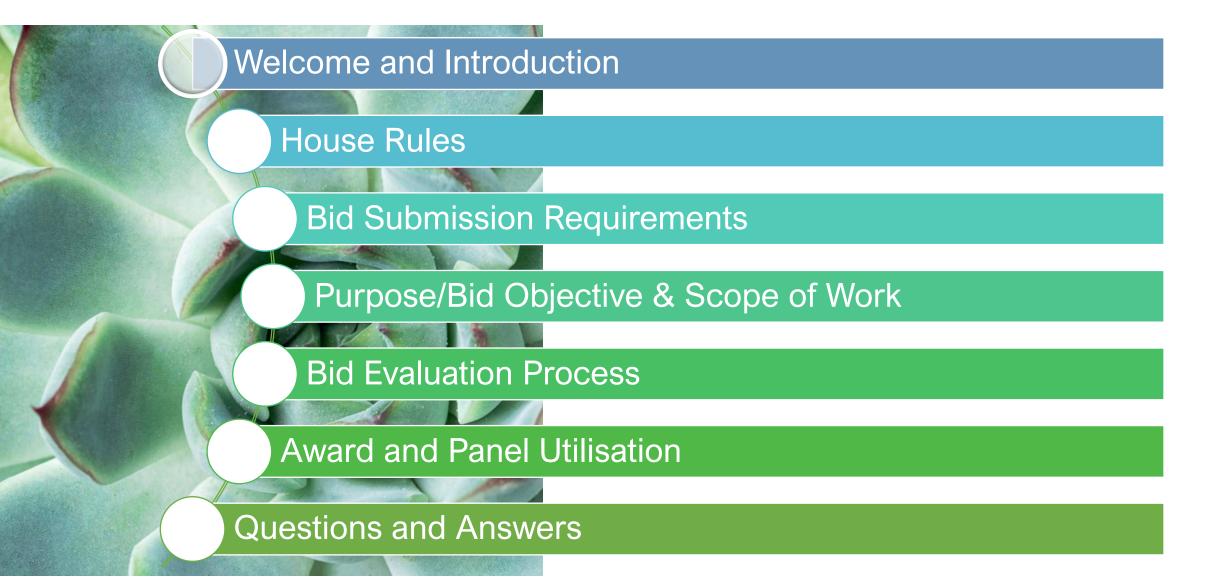
Tender Number: IRBA/04/2024/RFT

Briefing Session: 28 October 2024

Time: 10h00 to 11h30



Presented by : SCM





WELCOME AND INTRODUCTIONS

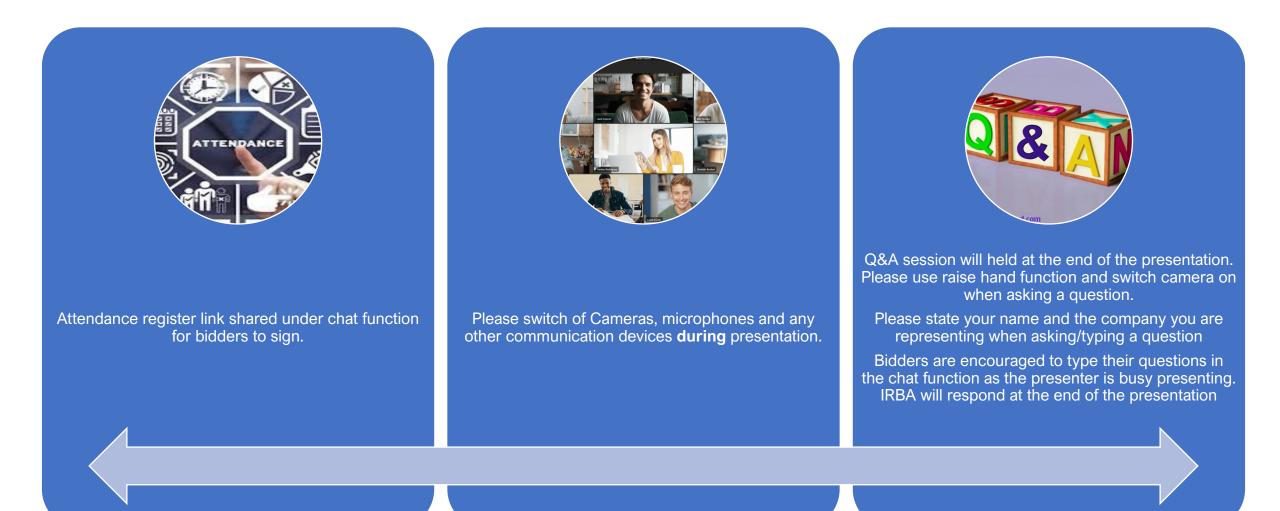
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HOUSE RULES

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Submit bid documents in a sealed	TENDER BOX	
clearly marked envelope with Bid reference number and Bidder's name.	Tender Box situated at: IRBA Offices, Ground floor of	KEY DATES
Bid pack should comprise of Two copies – one original hard copy and one soft copy (USB).	Building No. 2, Greenstone Hill Office	29/10/2024 @ 16h00: Closing date for enquiries on RFT
Bid documents must be placed in Tender box.		01/11/2024: Publication of Responses to enquiries on RFT on the IRBA website
	No bid response received by email, fax or similar medium will be considered	11/11/2024 @ 12h00: Tender closing date No Late Submission Will Be Accepted

SCOPE OF WORK

Presented by : JN



APPOINTMENT OF ATTORNEYS



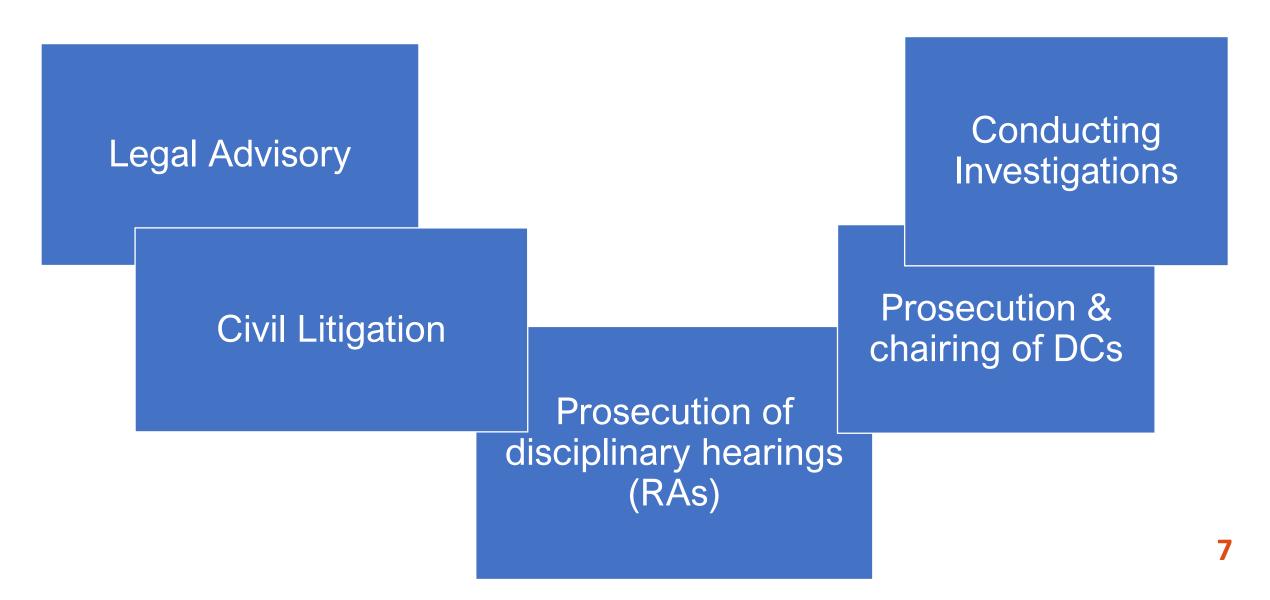
□5 years

□ Starting 1 March 2025

□ Maximum of 15 firms



Presented by : JN





Appointment of attorneys continued

Presented by: JN



SMALL FIRMS

- 5 firms appointed
- Annual turnover not exceeding R10 m
- Bid for at least 3 service categories



Appointment of attorneys continued





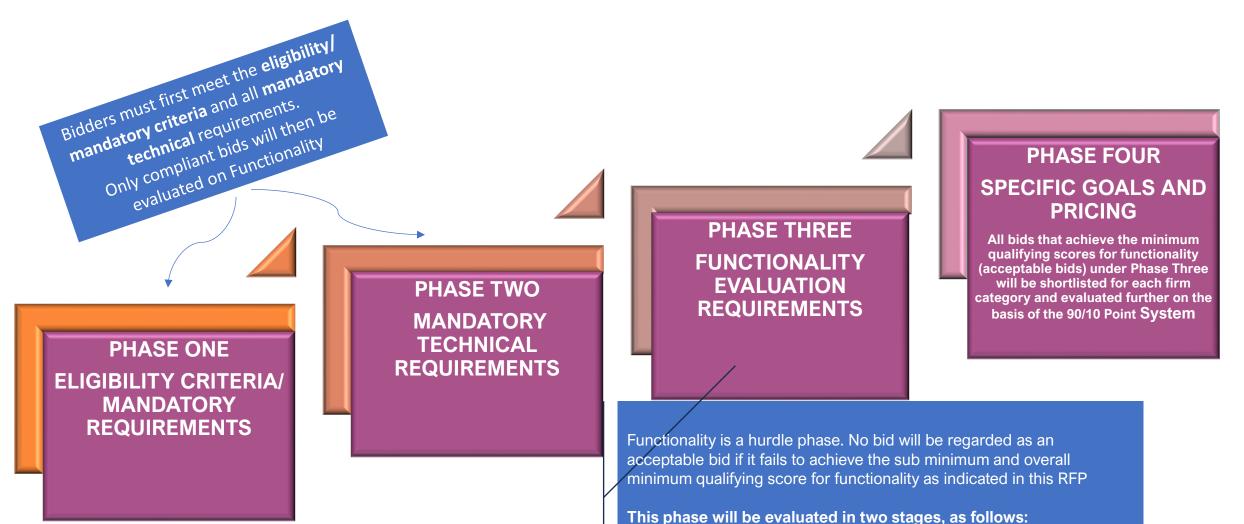
MEDIUM & LARGE FIRMS

- Medium firms: Annual turnover R10m less than R35m
- Large firms: Annual turnover more than R35m
- Bid for 4 or more service categories
- 5 firms each



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Stage One: Minimum threshold is 40 points out of a total of 60 point.

Stage Two: Minimum threshold is 30 points out of a total of 40 points.



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PHASE ONE – ELIGIBILITY CRITERIA/MANDATORY REQUIREMENTS

- Registration on the Central Supplier Database (CSD)
- Submission of fully completed and signed SBD forms (SBD 1, 4, 6.1 & 3.3)
- Pricing: Bidders must complete and submit the compulsory Pricing Proposal (Annexure B), without changing the structure.
- Declaration of Independence: Complete and submit the declaration (Annexure A) confirming independence from the auditing profession. The IRBA reserves the right to perform a verification of the declarations made.
- **Consortia and Joint Ventures (JVs):** If the bid is from a JV or a collaborative partnership that does not have a joint track record, the individual entities in the JV or partnership should each provide all the mandatory requirements. Should all the requirements in respect of the tendering unit or the individual entities (as the case may be) not be met, then the JV will be disqualified.

FAILURE TO SUBMIT THE ABOVE WILL INVALIDATE YOUR BID



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PHASE TWO – MANDATORY TECHNICAL REQUIREMENTS

Bidders must comply with the following Mandatory Technical Requirements to be considered for further evaluation under Phase Three: Functionality Evaluation Requirements

1. Proof of Registration and Good Standing with the Legal Practice Council of South Africa

2. Valid Fidelity Fund Certificate

3. Minimum Service Categories for which Bids are Submitted

FAILURE TO COMPLY WITH THESE REQUIREMENTS WILL LEAD TO THE DISQUALIFICATION OF THE BID



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PHASE THREE – STAGE ONE OF THE FUNCTIONALITY EVALUATION REQUIREMENTS

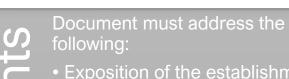
No.	Criterion	Min	Max
		Points	Points
1.	Company profile, systems of quality and level of exposure	6	10
2.	Relevant qualifications and legal experience of the bidder's team	22	30
3.	Litigation strategy	6	10
4.	Recommendations/reference letters	6	10
	TOTAL POINTS	40	60

Failure to achieve the minimum threshold of 40 points out of a total of 60 points will result in the disqualification of a bid.



Criterion One

Bidder must submit a document titled "Company Profile, Systems of Quality and Level of Exposure"



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- Exposition of the establishment, the firm's history and constitution.
- Its professional staff complement and areas of specialisation.
- System of identifying and managing conflicts of interest that may arise.
 - Systems in place for staff performance monitoring and management.
 - Notable awards and achievements received from accredited/recognised

institutions/organisations, if available.

• Clients previously or currently serviced.

No company profile submitted; or the company profile does not outline at least four of the points per the evaluation criteria above = 0

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Company profile submitted outlines at least four of the points per the evaluation criteria above = 6

Company profile submitted outlines all of the points per the evaluation criteria above = 10



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Criterion Two Small Firms

Bidder must have, either contracted to it or in its current volame (team), a legal practitioner or practitioners who have experience in the service categories for which it is bidding (MINIMUM THREE)

Qualifications

Requirements:

Proof of a Bachelor of Laws (LLB) or an equivalent qualification for each individual legal practitioner in the team that will be providing services to the IRBA in respect of each service category it is bidding for

Points Allocation:

No proof of qualifications submitted; or qualifications submitted for the legal practitioner (s) who will be rendering services in each service category the bidder is bidding for are lower than the required LLB or equivalent qualification = 0

Proof of an LLB or equivalent qualification for the legal practitioner (s) who will be rendering services in each service category the bidder is bidding for = 6

Proof of postgraduate certificates, diplomas, masters of doctorate qualifications for any of the legal practitioner(s) who will be rendering services in any of the service categories the bidder is bidding for = 9

Years of Experience

Requirements

Propose at least one legal practitioner per service category who demonstrates a minimum of **three** years of post-admission experience in each service category for which the bidder is bidding. Bidder's team must collectively have a minimum of **10** years' post-admission experience.

Points Allocation:

Legal practitioner(s) across the service categories the bid is for have less than three years' relevant post-admission experience; or the bidder's team collectively have less than 10 years' postadmission experience; or no relevant postadmission experience = 0

Legal practitioner(s) across the service categories the bid is for have three years' relevant postadmission experience and the bidder's team collectively have between 10 and 20 years' relevant post-admission experience = 6

Legal practitioner(s) across the service categories the bid is for have more than three years' relevant post-admission experience and the bidder's team collectively have more than 20 years' relevant post-admission experience = 9

Project Matters

Requirements

Details of relevant transactions/matters that individual legal practitioners in the bidder's team handled in each service category that it is bidding for and in respect of which the legal practitioner will be rendering services for.

Points Allocation

No matters submitted = 0

Submission of one matter handled by the legal practitioner(s) in each service category the bidder is bidding for = 3

Submission of two to four matters handled by the legal practitioner(s) in each service category the bidder is bidding for = 10

Submission of five and more matters handled by the legal practitioner(s) in each service category the bidder is bidding for = 12

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Criterion Two

Medium/ Large Firms

Bidder must have, either contracted to it or in its current employ (team), a legal practitioner or practitioners who have experience in the service categories for which it is bidding (MINIMUM FOUR)

Qualifications

Requirements:

Proof of a Bachelor of Laws (LLB) or an equivalent qualification for each individual legal practitioner in the team that will be providing services to the IRBA in respect of each service category it is bidding for

Points Allocation:

No proof of qualifications submitted; or qualifications submitted for the legal practitioner (s) who will be rendering services in each service category the bidder is bidding for are lower than the required LLB or equivalent qualification = 0

Proof of an LLB or equivalent qualification for the legal practitioner (s) who will be rendering services in each service category the bidder is bidding for = 6

Proof of postgraduate certificates, diplomas, masters of doctorate qualifications for any of the legal practitioner(s) who will be rendering services in any of the service categories the bidder is bidding for = 9

Years of Experience

Requirements

Propose at least one legal practitioner per service category who demonstrates a minimum of **Five** years of post-admission experience in each service category for which the bidder is bidding. Bidder's team must collectively have a minimum of **15** years' post-admission experience.

Points Allocation:

Legal practitioner(s) across the service categories the bid is for have less than five years' relevant post-admission experience; or the bidder's team collectively have less than 15 years' postadmission experience; or no relevant postadmission experience = 0

Legal practitioner(s) across the service categories the bid is for have five years' relevant postadmission experience and the bidder's team collectively have between 15 and 35 years' relevant post-admission experience = 6

Legal practitioner(s) across the service categories the bid is for have more than five years' relevant post-admission experience and the bidder's team collectively have more than 35 years' relevant post-admission experience = 9

Project Matters

Requirements

Details of relevant transactions/matters that individual legal practitioners in the bidder's team handled in each service category that it is bidding for and in respect of which the legal practitioner will be rendering services for.

Points Allocation

No matters submitted = 0

Submission of two matter handled by the legal practitioner(s) in each service category the bidder is bidding for = 3

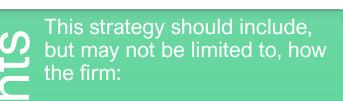
Submission of three to five matters handled by the legal practitioner(s) in each service category the bidder is bidding for = 10

Submission of six and more matters handled by the legal practitioner(s) in each service category the bidder is bidding for = 12



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The bidder must submit, as part of its proposal, a detailed litigation strategy that is not more than three pages, outlining the firm's general approach to effective litigation management.



- (1) evaluates potential litigation outcomes;
- (2) mitigates the probability of
- adverse outcomes;

- (3) ensures the swift finalisation of matters; and
- (4) effectively manages litigation-related costs for its clients.

Litigation strategy not provided; or it only adequately addresses less than two of the elements required to be included in the strategy = 0

> Litigation strategy adequately addresses only two of the elements required to be included in the strategy = 4

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Litigation strategy adequately addresses only three of the elements required to be included in the strategy = 6

Litigation strategy adequately addresses all four of the elements required to be included in the strategy = 8

Litigation strategy outlines additional strategic initiatives over and above the required four elements, to support effective litigation management = 10



Presented by :SCM

The bidder must provide positive references from clients where it provided services for each service category for which it is bidding. A reference letter may specify services rendered for more than one service category.

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The reference letters provided must NOT be older than three years.

To be valid, each client reference letter must be signed and:

• Clearly indicate the name of the bidder;

• Specify the services rendered;

• Indicate when the services were rendered, which must be within three years of the closing date of the bid; and

• Contain the name(s) of the contact person(s) and their details (phone numbers/email addresses).

No or less than two positive reference letters; or reference letters not submitted for the minimum of three service categories the bid is for; or reference letters submitted do not meet the above required criteria = 0

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Two reference letters that collectively demonstrate experience in all the service categories the bid is for, and which meet the above required criteria = 3

> Three reference letters that collectively demonstrate experience in all the service categories the bid is for, and which meet the above required criteria = 6

Four to eight reference letters that collectively demonstrate experience in all the service categories the bid is for, and which meet the above required criteria = 8 No or less than three positive reference letters; or reference letters not submitted for the minimum of four service categories the bid is for; or reference letters submitted do not meet the above required criteria = 0

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Three reference letters that collectively demonstrate experience in all the service categories the bid is for, and which meet the above required criteria = 3

Five reference letters that collectively demonstrate experience in all the service categories the bid is for, and which meet the above required criteria = 6

Six to 10 reference letters that collectively demonstrate experience in all the service categories the bid is for, and which meet the above required criteria = 8

More than 10 reference letters that collectively demonstrate experience in all the service categories the bid is for, and which meet the above required criteria = 10



Presented by :SCM

PHASE THREE – STAGE TWO OF THE FUNCTIONALITY EVALUATION REQUIREMENTS

No.	Criterion	Min	Мах
		Points	Points
5.	Demonstrable relevant work experience of the bidder in the service categories for which it submitted a bid	30	40

Failure to achieve the minimum threshold of 30 points out of a total of 40 points will result in the disqualification of a bid.



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The bidder must have demonstrable work experience in the relevant service categories for which it is bidding, and the transactions/matters must align with the scope of those categories.

Bidder must provide details of the recent transactions/matters (not older than three years) it has handled for each service category.

Bidders must submit a minimum of six qualifying transactions/ matters to achieve the minimum threshold points of 30 for further evaluation. :



- 1. Complexity of Matters/Transactions
- 2. Success and Outcomes:
- 3. Client and Sector Diversity
- 4. Methodology and Approach
- 5. Innovation and Adaptability

Zero to five qualifying transactions/matters = 0 cati Six qualifying transactions/matters = 30(max) Seven qualifying transactions/matters = 35 (max) **Eight qualifying**

transactions/matters = 40

(max)

Firms that provide less than the required minimum number of transactions/matters in their portfolio of evidence (Table C of Appendix A), will be disqualified and not eligible for further evaluation.



Presented by : SCM



- Transactions/matters referred to above **do not** have to be per service category that the bidder bids for, but need to demonstrate its experience in each service category for which it is bidding.
- Therefore, one transaction/matter can depict the bidder's experience in more than one service category.
- Where the bidder is applying for the provision of legal advisory and/or services, as per item 5 of the service categories, relevant supporting opinions previously provided by any member of the bidder's team must be provided (the redaction of client names and other personal information is allowed).
- The outcome of the transactions/matters submitted for consideration will not be a determining factor in the evaluation process; rather, the quality and the manner in which they were dealt with will carry more weight.
- Where the bidder is restricted by confidentiality and, therefore, cannot disclose the client's name, it may omit that detail.



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PHASE FOUR – SPECIFIC GOALS AND PRICING

All bids that achieve the minimum qualifying scores for functionality (acceptable bids) under Phase Three will be shortlisted for each firm category and evaluated further on the basis of the 90/10 point system, as follows



Specific Goal Allocated Points in terms of this Tender	Points Allocated (90/10 system)
Enterprise with ownership of 51% or more by person/s who are Black	5
Enterprise with ownership of 51% or more by person/s who are women	2
Enterprise with ownership of 51% or more by person/s who are youth	2
Enterprise with ownership of 51% or more by person/s with a disability	1
TOTAL	10



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- All-inclusive quote on an official company letterhead, using the Pricing Schedule format (Annexure B).
- Quoted rates to cover cost for all of the expected elements linked to any of the specified deliverables, as per the scope of work.
- Quoted rates in the Pricing Schedule must be fixed and firm.
- Quoted rates must be inclusive of the yearly increases, where applicable.
- Pricing evaluations will be done in accordance with the firm categories within which the bidder is classified.
- Execution of this contract will be governed by the rates quoted, unless stated otherwise.



Presented by : J.N

PRICING PROPOSAL

- □ Five levels indicating
- Hourly rate for each level
- Rates charged for specified items



AWARD STRATEGY & PANEL UTILISATION

Appointment of top five scoring firms in each firm category

WORK ALLOCATION

- Work allocation on rotational basis
- Availability of work and budget As and when basis
- Subject to a periodic review of the service performar







Thank you QUESTIONS & ANSWERS