



# Limpopo Legislature

## ***REQUEST FOR PROPOSAL***

### **APPOINTMENT OF CHAIRPERSON OF DISCIPLINARY HEARING**

**RFP NUMBER:** LPL 010/2025

**CLOSING DATE:** THURSDAY, 20 MARCH 2025

**TIME:** 11:00 AM

	<b>REQUEST FOR PROPOSAL (RFP) INVITATION</b>	<b>Section 1</b>
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**SUPPLIER/ SERVICE PROVIDER NAME:**

.....

**REQUEST FOR PROPOSAL (RFP LPL 010/2025)**

**ADVERTISEMENT: APPOINTMENT OF CHAIRPERSON OF DISCIPLINARY HEARING**

<b>Issue Date</b>	<b>14 March 2025</b>
<b>Closing Date</b>	<b>20 March 2025</b>

The request for Proposal (RFP) bundle consists of the following documents:

#	DESCRIPTION	SECTION
a)	Invitation to Proposal	1 (one)
b)	Detailed Specification	2 (two)
c)	Terms and Conditions	3 (three)
d)	Declaration of Interest (SBD 4)	4 (four)
e)	Preference points claim form in terms of the preferential procurement regulations 2022 (SBD 6.1)	5 (five)

This proposals must be submitted in the appropriate format clearly marked with the Proposal Description & Proposal Reference to this e-mail address : [proposals@limpopoleg.gov.za](mailto:proposals@limpopoleg.gov.za).

**NB: All proposals must be on the company's letterhead**

Any enquiries regarding this proposal may be directed to this email address: [proposals@limpopoleg.gov.za](mailto:proposals@limpopoleg.gov.za) , Ref **RFP LPL 010 /2025**.

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Name

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Signature

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Date

	<b>DETAILED SPECIFICATION</b>	<b>Section 2</b>
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**TERMS OF REFERENCE: APPOINTMENT OF CHAIRPERSON IN A DISCIPLINARY HEARING****1. INTRODUCTION**

In terms of section 63 of Financial Management of Parliament and Provincial Legislatures, 2009, the Accounting Officer has a responsibility to report particulars of any unauthorized, irregular or fruitless and wasteful expenditure, or the likelihood of any such expenditure, to the Executive Authority immediately upon discovery.

**2. PURPOSE**

The LIMPOPO LEGISLATURE calls for bids from credible, experienced, and reputable service providers who is (admitted and enrolled as such in terms of Section 24 and 30 of the Legal Practice Act, 2014) to be appointed to the LIMPOPO LEGISLATURE as Chairperson of Disciplinary Enquiry.

**3. SCOPE OF WORK**

The successful legal practices will be appointed as Chairperson of Disciplinary Enquiry and must accordingly possess:

- 3.1 Vast experience in Employment Law & Labour Relations matters,
- 3.1 A high level of integrity, impartiality and objectivity as legal practitioner.

**4 SPECIFIC DELIVERABLES EXPECTED**

The appointed firm will be responsible for the deliverables, including:

- 4.1 Preside over the disciplinary enquiry until finalization,
- 4.2 Deliver ruling regarding preliminary points raised during enquiry
- 4.3 Deliver verdict, and / or
- 4.4 Deliver sanction, if applicable,
- 4.5 Any other responsibilities ancillary to that of presiding officers of a disciplinary enquiry.

**5. PROJECT DURATION**

The service provider is required to render the services as Presiding Officer of a disciplinary enquiry until the matter is finalized and a verdict and, where applicable, sanction has been delivered.

**6. PRICING SCHEDULE**

Legislature reserves the right to negotiate with the preferred bidders identified in the evaluation process, regarding any terms and conditions, including rationalization of the fees to ensure cost containment measures in terms of the National Treasury Guidelines prior to awarding the bid.

The tariff structure / fee structure per hour (including VAT):

No	Description	Quantity individual	per	Rate per hour Exc. Vat	Rate per Hour Inc. Vat
1	Senior Attorney/Advocate				
Total rate per hour for duration of project					

## 7. DISBURSEMENTS

All disbursements are to be charged on an actual cost basis with no mark-ups. The appointed legal practitioner should charge in terms of the fee structure as outlined below. The rate shall be fixed for the duration of the services.

**NB:** Travel disbursements to be paid in line with LIMPOPO LEGISLATURE travel policy and subject to pre-approval.

Item	Class / Rate
Accommodation (where applicable)	As per Legislature's S&T Policy
Travel rate kilometer	As per Legislature's S&T Policy

## 8. EVALUATION CRITERIA

### 8.1 CRITERION 1 – COMPULSORY REQUIREMENTS

Bidders will first be evaluated in terms of the minimum requirements of submission of compulsory requirements. Bidders who do not meet all the requirements will be disqualified. Bidders who meet all the requirements will be further evaluated on functionality.

### 8.2 CRITERION 2 – FUNCTIONALITY

Functionality is worth 100 points. The minimum threshold is 70 points. Applicants who score less than 70 points on functionality will therefore be disqualified. Those who score 70 points or more will be further evaluated on presentations. The functionality evaluation is broken down as follows:

#### 8.2.1 Reference letters of completed projects Total – 30 points

Bidders must have specific experience and submit 10 recent (not older than 5 years) references in respect of similar work undertaken (the references must be in the form of written proof(s) on the referees' letterheads. The references must include the relevant contact person, nature of service, contract amount, and commencement date, duration of contract, telephone number, and email addresses).

#### Points Allocation

- Submission of more than 10 letters -30 points
- Submission of 8 to 10 letters - 20 points
- Submission of 4 to 7 letters - 10 points
- Submission of 2 – 3 letters - 5 points

## **8.2.2 QUALIFICATION AND EXPERIENCE OF TEAM TOTAL – 70 POINTS**

Bidders are expected to provide a proposed team for this project clearly indicating each team members role, qualification, and experience. As a minimum to earn points, the team members below should be included on the proposed team.

Concise CVs with certified copies of qualification, and proof of registration of each team member with relevant Legal Practice Council and valid Admission certificates.

Attorneys must submit proof of admission with the high court and registration with the LPC for areas needing such accreditation –

Letter of good standing with LPC and concise CVs / Biography with at least three (3) contactable references.

### **8.2.2.1 PROPOSED CANDIDATE'S QUALIFICATIONS – 35 points**

Bidders are required to provide certified copies of qualifications and certificates of team members to be allocated points.

#### **Points Allocation:**

##### **Senior Attorney/ Advocate**

- Qualification at a minimum – Law Degree (LLB) / NQF 8 – **10 points**
- Master's Degree in the area of specialization - **10 points**
- Postgraduate Diploma – **5 points**
- Admission as a legal practitioner – **10 points**

### **8.2.2.2 PROPOSED CANDIDATE'S EXPERIENCE – 35 points**

Bidders are required to provide a detailed CV and or details of the proposed team experience applicable to this project.

#### **Senior Attorney/Advocate**

- 20 years or more legal service experience – **35 points**
- 10 -19 years legal service experience – **20 points**
- 5-9 years legal service experience – **10 points**
- 2 - 4 years legal service experience – **5 points**

## **CRITERION 3 – Price and Preference**

Bidders who score 70 points or more on functionality will be further evaluated in terms of Price and Preference points (B-BBEE status level of contributor). As per the table below, the price will be evaluated over 80 points and preference points over 20

Preference Specific goals for this bid and points claimed are indicated per the table below

**10. PREFERENCE SPECIFIC GOALS FOR THIS BID AND POINTS CLAIMED ARE INDICATED PER THE TABLE BELOW. POINTS ALLOCATION: 20 POINTS**

<b>Specific goals to be allocated in terms of the proposal</b>	<b>Number of Points to be allocated</b>	<b>Means of Verification</b>
<b>Total Points</b>	<b>20 Points</b>	
<b>HDI's and Specific Goals</b>		
Black Ownership >50%	4	Any Person who meets the definition of black in terms of the Constitution. The CSD report will be used as a means of verification. The shareholding percentages of black ownership must be 50% or more on the CSD report for the bidder to be allocated the maximum points.
Woman Ownership >50%	4	The CSD will be used as means of verification for woman ownership. The shareholding percentages of the woman ownership must be 50% or more on the CSD report for the bidder to be allocated the maximum points.
Youth >50%	3	Any person in terms of the constitution below the age of 35 years. The CSD will be used as a means of verification for youth ownership. The shareholding percentages of youth ownership must be 50% or more on the CSD report for the bidder to be allocated the maximum points.
Person with disability>50%	3	A bidder must attach the medical certificate from the Doctor as means of verification to substantiate the points to be claimed. The CSD report will not be used as the means of the verification for proof of disability. The shareholding percentage of the person with disability must be 50% or more on the CSD.
Enterprise Located in Limpopo	3	A service provider must attach municipal rates for the company/proof of residence from traditional authority /ward councilor for company/lease agreement in the case where the company is renting the property.
Small, Medium and Micro Enterprises (SMMEs)	3	A Service Provider must attach valid Sworn affidavit/BEE certificate for the points to be claimed. The CSD report will be used as a means of verification for proof of SMMEs.

## **SPECIAL CONDITIONS OF THE PROPOSAL**

11.1 Limpopo Legislature shall not award contracts to provide goods or services to a Member of Parliament or Cabinet, a member of a Provincial Legislature or Member of a provincial Executive Council, a municipal councillor, a person in the employ of the state whose participation in bidding for the contract may result in a conflict of interest, or any entity in which any of the mentioned persons is a Director or has controlling or other substantial interest.

11.2 This bid will be evaluated on Functionality and price

11.3 Successful service providers are required to be constantly in compliance with the requirements of the South African Revenue Services (SARS) through the appointment and failure will result in the service provider NOT to be considered

11.4 Bidders must submit comprehensive Business profiles.

11.5 A CSD report (or in the case of Joint venture, of all the partners in the Joint venture) must be attached.

11.6 Accredited valid B-BBEE Certificate/ Sworn affidavit (or in case of Joint venture, the consolidated B-BBEE certificate must be attached.

11.7. Legislature reserves the rights to conduct inspection in loco in the business premises

11.8 The period of appointment of the successful service provider shall be from the date of appointment until the final matter is finalized.

11.9 Service Providers must ensure that a price proposal is in accordance or compliant with the Legislature requirements

11.10 Limpopo Provincial Legislature reserves the right to reject price proposals that are not a complaint with terms of reference.

11.11 Service must also submit the memory stick of tender documents and with all other attachments

## **COMPLIANCE CHECKLIST AND FUNCTIONALITY**

This is the evaluation criteria that measures compliance of service providers with the administrative requirements of this request and mandatory functional requirements as listed in the specifications. Service providers who fail to meet all requirements will be disqualified from further evaluation.

<b>COMPLIANCE CHECKLIST</b>			
<b>Item</b>	<b>Description</b>	<b>Yes</b>	<b>No</b>
1	Invitation to RFP: Completed & Signed		

2	Declaration of Interest Form (SBD 4): Completed & Signed		
3	Preference points claim form in terms of the preferential procurement regulations 2022 (SBD 6.1): Completed & Signed		
4	Recent Central Supplier Database (CSD) report provided		
5	Submit copies of full Company Profile		
6	Price proposals (VAT inclusive), quoted in accordance/compliance with required specifications		

Service provider's

Name : .....

Completed : .....

Signature : .....



**SBD 4**

**DECLARATION OF INTEREST**

1. Any legal person, including persons employed by the state<sup>1</sup>, 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 an advertised competitive bid, a limited bid, a proposal or written price quotation). 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. **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, shareholder<sup>2</sup>, member):  
.....

2.4 Registration number of company, enterprise, close corporation, partnership agreement or trust:  
.....

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 / PERSAL numbers must be indicated in paragraph 3 below.

<sup>1</sup>“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.

<sup>2</sup>“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 presently employed by the state? YES / NO

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 the appropriate authority to undertake remunerative work outside employment in the public sector? YES / NO

2.7.2.1 If yes, did you attach proof of such authority to the bid document? 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 / trustees / shareholders / members or their spouses conduct business with the state in the previous twelve months? YES / NO

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.

.....



**4 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 SHOULD THIS  
DECLARATION PROVE TO BE FALSE.

.....  
Signature

.....  
Date

.....  
Position

.....  
Name of bidder

## SBD 6.1

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

This preference form must form part of all tenders invited. It contains general information and serves as a claim form for preference points for specific goals.

**NB: BEFORE COMPLETING THIS FORM, TENDERERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF THE TENDER AND PREFERENTIAL PROCUREMENT REGULATIONS, 2022**

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#### 1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to invitations to tender:

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

#### 1.2 To be completed by the organ of state

- a) The applicable preference point system for this tender is the 80/20 preference point system.
- b) Either the 80/20 preference point system will be applicable in this tender. The lowest/highest acceptable tender will be used to determine the accurate system once tenders are received.

1.3 Points for this tender (even in the case of a tender for income-generating contracts) shall be awarded for:

- (a) Price; and
- (b) Specific Goals.

#### 1.4 To be completed by the organ of state:

The maximum points for this tender are allocated as follows:

	POINTS
PRICE	80
SPECIFIC GOALS	20
<b>Total points for Price and SPECIFIC GOALS</b>	<b>100</b>

- 1.5 Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.
- 1.6 The organ of state reserves the right to require of a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the organ of state.

## 2. DEFINITIONS

- (a) “**tender**” means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation;
- (b) “**price**” means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;
- (c) “**rand value**” means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
- (d) “**tender for income-generating contracts**” means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and
- (e) “**the Act**” means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

## 3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

### 3.1. POINTS AWARDED FOR PRICE

#### 3.1.1 THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

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

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

Where

- $P_s$  = Points scored for price of tender under consideration  
 $P_t$  = Price of tender under consideration  
 $P_{min}$  = Price of lowest acceptable tender

**3.2. FORMULAE FOR DISPOSAL OR LEASING OF STATE ASSETS AND INCOME GENERATING PROCUREMENT**

**3.2.1. POINTS AWARDED FOR PRICE**

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

$$Ps = 80 \left( 1 + \frac{Pt - Pmax}{Pmax} \right) \quad \text{or} \quad Ps = 90 \left( 1 + \frac{Pt - Pmax}{Pmax} \right)$$

Where

- Ps = Points scored for price of tender under consideration
- Pt = Price of tender under consideration
- Pmax = Price of highest acceptable tender

**4. POINTS AWARDED FOR SPECIFIC GOALS**

4.1. In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/ documentation stated in the conditions of this tender:

4.2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—

- (a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or
- (b) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system,

then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

**Table 1: Specific goals for the tender and points claimed are indicated per the table below.  
 (Note to tenderers: The tenderer must indicate how they claim points for each preference point system.)**

The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (80/20 system) (To be completed by the tenderer)
<b>Total points</b>	<b>20</b>	
<b>HDI's</b>		
Black Ownership	4	
woman ownership	4	
Person with disability	3	
<b>Specific goals</b>		
Youth	3	
Small, medium and micro enterprises (SMMEs)	3	
Enterprises located in Limpopo province	3	

**DECLARATION WITH REGARD TO COMPANY/FIRM**

4.3. Name of company/firm.....

4.4. Company registration number: .....

4.5. TYPE OF COMPANY/ FIRM

- Partnership/Joint Venture / Consortium
- One-person business/sole propriety
- Close corporation
- Public Company
- Personal Liability Company
- (Pty) Limited
- Non-Profit Company
- State Owned Company

[TICK APPLICABLE BOX]

4.6. I, the undersigned, who is duly authorised to do so on behalf of the company/firm,



certify that the points claimed, based on the specific goals as advised in the tender, qualifies the company/ firm for the preference(s) shown and I 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 paragraphs 1.4 and 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
- iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –
  - (a) disqualify the person from the tendering 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) recommend that the tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted from obtaining 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, if deemed necessary.

..... <b>SIGNATURE(S) OF TENDERER(S)</b>	
<b>SURNAME AND NAME:</b>	.....
<b>DATE:</b>	.....
<b>ADDRESS:</b>	