



FREE STATE DEVELOPMENT CORPORATION

APPOINTMENT OF A PANEL OF LEGAL FIRMS TO PROVIDE LEGAL SERVICES AND LEGAL SUPPORT TO FREE STATE DEVELOPMENT CORPORATION FOR A PERIOD OF THREE (3) YEARS.

BID NUMBER: FDC BID NO. 003/2026

NON - COMPULSORY BRIEFING SESSION: 15 JULY 2026

**VIRTUAL: Meeting ID: 356 545 050 288 177
Passcode: fn3vh3R7**

CLOSING DATE: 29 JULY 2026 AT 12:00

PREPARED BY:

FREE STATE DEVELOPMENT CORPORATION
33 KELLNER STREET
WESTDENE BLOEMFONTEIN
9301

**TECHNICAL CONTACT PERSON: MOITHEKI
MOKOENA**

**SUPPLY CHAIN MANAGEMENT CONTACT
PERSON: KELEBOGILE MOKOPI**

YOU ARE HEREBY INVITED TO SUBMIT A BID TO MEET THE REQUIREMENTS OF FREE STATE DEVELOPMENT CORPORATION	
BID NUMBER:	FDC BID NO. 003/2026
DATE OF ADVERTISING	03 JULY 2026
NON - COMPULSORY BRIEFING SESSION DATE:	15 JULY 2026
LINK	Meeting ID: 356 545 050 288 177 Passcode: fn3vh3R7
NON - COMPULSORY BRIEFING SESSION TIME:	12:00
CLOSING DATE:	29 JULY 2026
CLOSING TIME:	12:00
CLOSING DATE FOR BID ENQUIRIES	All enquiries must be directed to moithekim@fdc.co.za before the 22 JULY 2026
PERIOD FOR WHICH BIDS ARE REQUIRED TO REMAIN OPEN FOR ACCEPTANCE:	120 days (submissions must be valid for 120 days after the closing date)
DESCRIPTION OF BID:	APPOINTMENT OF A PANEL OF LEGAL FIRMS TO PROVIDE LEGAL SERVICES AND LEGAL SUPPORT TO FREE STATE DEVELOPMENT CORPORATION FOR A PERIOD OF THREE (3) YEARS.
BID DOCUMENTS DELIVERY ADDRESS:	FDC BUILDING 33 KELLNER STREET WESTDENE BLOEMFONTEIN
NAME OF BIDDER:	
CONTACT PERSON:	
E-MAIL ADDRESS:	
TELEPHONE NUMBER:	
FAX NUMBER:	
BIDDER'S STAMP OR SIGNATURE	

CHECKLIST OF COMPULSORY RETURNABLE SCHEDULES AND DOCUMENTS

Please adhere to the following instructions

- Tick in the relevant block below.
- Use the prescribed sequence in attaching the annexures when completing the Bid Document.
- Ensure that the following documents are completed and signed where applicable:

YES	NO	
		Original Bid and a Copy – (hard copy clearly marked as either original and copy) and one Electronic Copy. Important: Kindly note that every document that is submitted as part of the original submission must be <u>duly authorised with the required signatures or initials on each and every page</u> . Failure to comply will result in the bid being noted as incomplete.
		Specifications, Conditions of BID and Undertakings by Bidder
		Certificate of Authority for Joint Ventures
		SBD 1 - Invitation to Bid
		SBD 4 - Declaration of Interest
		SBD 6.1 - Preference Points Claim Form In Terms of the preferential procurement regulations 2022
		Valid Tax Compliance Status Pin
		Valid B-BBEE certificate, SANAS accredited or sworn affidavit
		Proof of registration with National Treasury Central Supplier Database
		Bidder's Company Profile.
		Expertise of Key Personnel: Curriculum Vitae and certificates. Certified Proof of admission as a legal practitioner.
		Proof of membership with respective governing Councils (e.g bar council)

1. SUPPLY CHAIN MANAGEMENT UNIT

1.1 Only questions, queries clarifications which are submitted to this e-mail address, moithekim@fdc.co.za will be addressed.

1.2 Bid documents must be submitted as follows:

1.2.1 Original Bid – and

1.2.2 One Soft/ electronic Copy (CD or memory stick).

INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE FREE STATE DEVELOPMENT CORPORATION					
BID NUMBER:	FDC BID NO. 003/2026	CLOSING DATE:	29 JULY 2026	CLOSING TIME:	12:00
DESCRIPTION	APPOINTMENT OF A PANEL OF LEGAL FIRMS TO PROVIDE LEGAL SERVICES AND LEGAL SUPPORT TO FREE STATE DEVELOPMENT CORPORATION FOR A PERIOD OF THREE (3) YEARS.				
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT					
33 KELLNER STREET, WESTDENE, BLOEMFONTEIN					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON	KELEBOGILE MOKOPI	CONTACT PERSON	MOITHEKI MOKOENA		
TELEPHONE NUMBER	051 400 1500	TELEPHONE NUMBER	051 400 1500		
FACSIMILE NUMBER		FACSIMILE NUMBER			
E-MAIL ADDRESS	kele@fdc.co.za	E-MAIL ADDRESS	moithekim@fdc.co.za		
SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		OR	CENTRAL SUPPLIER DATABASE No:	MAAA
<i>ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES OFFERED?</i>	☐ Yes ☐ No [IF YES ENCLOSE PROOF]		<i>ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES OFFERED?</i>		☐ Yes ☐ No [IF YES, ANSWER THE QUESTIONNAIRE BELOW]
QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS					
IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? ☐ YES ☐ NO					
DOES THE ENTITY HAVE A BRANCH IN THE RSA? ☐ YES ☐ NO					
DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? ☐ YES ☐ NO					
DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? ☐ YES ☐ NO					
IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? ☐ YES ☐ NO					
IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 BELOW.					

PART B
TERMS AND CONDITIONS FOR BIDDING

1. BID SUBMISSION:
1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
1.2. ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED (NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.
1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.
1.4. THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).
2. TAX COMPLIANCE REQUIREMENTS
2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VERIFY THE TAXPAYER'S PROFILE AND TAX STATUS.
2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.
2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED; EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
2.6 WHERE NO TCS PIN IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
2.7 NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE STATE."

NB: FAILURE TO PROVIDE / OR COMPLY WITH ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.

SIGNATURE OF BIDDER:

.....

CAPACITY UNDER WHICH THIS BID IS SIGNED:

.....

(Proof of authority must be submitted e.g. company resolution)

DATE:

.....

3. REQUEST FOR PROPOSAL

INTRODUCTION

The Free State Corporation (FDC) is the official economic development agency for the Free State Province, established in terms of the FDC Act No.6 of 1995. Our mandate is to play a developmental role in growing the economy of the Free State by providing support to SMMEs, manufacturing, trade, investment promotion and facilitation.

We are a Schedule 3D Provincial Business Enterprise in terms of the Public Finance Management Act. As a specialist economic development agency, the FDC was formed to offer the people of the Free State and potential investors in the province a wide selection of services

To be a capable, credible, resilient and sustainable developmental institution, driving inclusive economic development, growth and job creation through

Statements

- Targeted investment facilitation and promotion
- Enterprise development and empowerment
- Trade and export promotion
- Catalytic project establishment
- Industrialization and localization promotion
- Strategic partnership creation

FDC Vision

A catalyst for inclusive and sustainable Economic Growth and Development in the Free State Province.

Values

- Ownership
- Passion
- Teamwork
- Integrity

BIDDERS ARE REQUIRED TO SELECT THE CATEGORY AND AREA OF SPECIALITY THEY ARE APPLYING FOR

Kindly indicate under which category you are applying for

	Select area(s) of expertise
Labour and Employment law	
Intellectual property, Information technology and telecommunication	
Litigation	
Debt Collection	
Environment	
Funding and project finance	
Energy	
Corporate law	
Administrative and procurement	
Regulatory law	
Cross border and IPP	
Conveyancing	
Construction law	
Tax law	
Commercial law	
Forensic Investigation	

INTRODUCTION

1. FDC was established in terms of the Free State Development Corporation Act 6 of 1995 (As amended). It complies with the Public Finance Management Act (PFMA) as a Schedule 3D Public Entity.

2. BACKGROUND

FDC has a Legal Department that comprises of the Chief Legal Advisor, two Legal Advisors and a Contract Practitioner who provide legal support to the FDC. FDC procures the services of external legal professionals including but not limited to Legal Practitioners, Advocates, Conveyancers and Arbitrators from time to time.

3. PURPOSE

FDC is seeking to procure the services of external legal experts to be on the panel to assist to fulfil its mandate and provide legal services.

The purpose of appointing the panel of attorneys is to establish a panel of legal professionals to provide legal skills to FDC and to curb exorbitant legal costs.

4. INVITATION

Legal Professionals are invited to send proposals to FDC for consideration. In preparing a proposal it is emphasized that a profile of the legal practitioners together with demonstrated expertise in their particular field of law, be submitted.

The following documents must be attached to the prospective legal professionals' proposal:

- Curriculum Vitae of Legal Expert and/or key personnel;
- Company Profile/Legal Practitioner's Profile;
- Certified Proof of admission as a legal practitioner.
- Certified copies of LLB degree not older than six (6) months
- Company registration certificate/certificate of Legal Practitioner and certified identity copies;
- Valid Tax Status Pin;
- Fidelity Fund Certificate;
- Letter of good standing from the Legal Practice Council;
- Declaration of interest;
- Experience – submit reference letters;
- B- BBEE Certificate;
- Proof of membership with respective governing Councils (e.g bar council)

5. CONTRACT PERIOD

The appointment is for three (3) years.

6. SCOPE OF WORK AND REQUIRED EXPERTISE

6.1 Provide a legal opinion on matters that may have legal implications for FDC ;

6.2 Represent FDC in disciplinary proceedings and labour matters

7. Costing Model

7.1a. For High Courts, Lower Courts or any other court, tariffs would only apply for litigation (Dispute Resolution), conveyancing and any type of legal service other than debt collection.

b. A bidder shall be entitled to 10% commission of the collected amount/ no collection no fee.

8. SKILLS TRANSFER

The legal professional will be required to ensure transfer of skills to FDC 's in-house legal team.

9. REQUIREMENTS

9.1 Knowledge of Provincial and/or Public Entities and their operations;

9.2 Knowledge and application of Magistrate's and High Court civil procedure, SCA, CCMA, Labour Court and Labour Appeal Court, Constitutional Court the South African Constitution and excellent knowledge of administrative, regulatory and public law.

9.3 Excellent drafting and prosecution skills.

10. CONDITIONS OF TENDER

- 10.1. Only Legal Professionals established in accordance with the provisions of the Legal Practice Act 28 of 2014 will be considered for the tender.
- 10.2. Only Advocates having membership with the respective bar council will be considered.
- 10.3. The requirements of the Preferential Procurement Policy Framework Act of 2022 will be applicable to the selection process in respect of this tender proposal.
- 10.4. Legal Professionals who do not score 70 points or more on the functionality evaluation will not be appointed to the panel.
- 10.5. A standard Service Level Agreement will be signed with each Legal Professional appointed.
- 10.6. The Legal Professionals will be required to sign confidentiality and indemnity agreements with the FDC .
- 10.7. Panel members are not guaranteed any work under this tender proposal.
- 10.8. The basis of engaging Legal Professionals will be on assignment basis.
- 10.9. FDC may at its own discretion award and assign all or any part thereof to more than one panel members.
- 10.10. FDC may at its own discretion vary an instruction to include more work.
- 10.11. Failure to comply with any condition of this request for a proposal will invalidate respective tender proposal
- 10.12. The Legal Professionals must declare any interest it has in an assignment as well as declare any possible conflict of interest with FDC in the pursuance of the proposed assignments.
- 10.13. In the event that any conflict of interest is discovered during the assignment, FDC reserves the right to summarily cancel the agreement and demand that all the information, documents and property of FDC be returned forthwith.
- 10.14. FDC reserves the right to request new or additional information regarding each bidder and any individual or other persons associated with its project proposal.

- 10.15. Bidders shall not make available or disclose details pertaining to their project proposal with anyone not specifically involved, unless authorized to do so by FDC .
- 10.16. Bidders shall not issue any press release or other public announcement pertaining to the details of their projects without prior written approval of FDC .
- 10.17. Bidders are advised that submission of a project proposal gives rise to no contractual obligations on the part of FDC .
- 10.18. Disputes that may arise between FDC and a bidder must be settled by means of mutual consultation, mediation (with or without legal representation) or, when unsuccessful, in a South African court of law.
- 10.19. All returnable bid documents must be completed in full and submitted together with the bidder's proposal.

11. SERVICE LEVEL AGREEMENT

The successful bidders will be expected to enter into a service-level agreement with FDC . The service level agreement will include amongst others, the following:

- 11.1. Period of the agreement
- 11.2. Charges
- 11.3. Method of communication and reporting
- 11.4. Performance
- 11.5. Termination of contract
- 11.6. Procedures relating to management of reports
- 11.7. Procedures relating to management of payment
- 11.8. Terms of deliverables
- 11.9. Review
- 11.10. Confidentiality
- 11.11. Breach
- 11.12. Disputes

12. VALIDITY PERIOD

The bid offers and proposals should be valid and open for acceptance by FDC for a period of **120** days from the date of submission

13. INTELLECTUAL PROPERTY RIGHTS

All copyright and intellectual property rights that may result as a consequence of the work performed will become the property of FDC . The Legal Professionals shall deliver to FDC , on completion of an assignment, all documents, devices, passwords or protective mechanisms of documents that were written and FDC will have the right to amend these without obligation whatsoever to the Legal Professionals.

14. REPORTING RELATIONSHIP

The respective Legal Professionals will report to the Head: Legal Services of FDC

15. EVALUATION OF BIDS

Bid proposals will be evaluated in accordance with the 80/20 preference point system as contemplated in the Preferential Procurement Regulations of 2022

15.1. Evaluation stage one: Administrative compliance

Compliance with administrative requirements as stated in the Standard Bidding Documents and the mandatory requirements. In this evaluation stage, all bidders that fail to provide the required information and documentation will be disqualified from further evaluation:

Requirement	Comply/not comply	Disqualifying factor
Is the bidder tax compliant		No
SANAS accredited BBBEE certificate or Sworn Affidavit		No
Is the bidder registered on the National Treasury Central Supplier Database (CSD)		Yes
SBD Documents signed by an authorized person		Yes

from the company		
All SBD documents are completed and signed by an authorized person from the company		Yes
A certificate of Good Standing not more than 6 (six months old) from the Legal Practice Council		Yes
Certified Proof of admission as a legal practitioner (not more than 6 months)		Yes
A Valid Fidelity Fund Certificate (where applicable)		Yes

NB: Bidders will be evaluated based on the reference letters per area of expertise they submitted.

AREA OF EXPERTISE	
1. Labour and employment law	
2. Intellectual property, technology and information telecommunication	
3. Litigation	
4. Debt collection	
5. Environment	
6. Funding and project finance	
7. Energy Corporate law	
8. Corporate law	
9. Administrative and procurement	
10. Regulatory law	
11. Cross border and IPP	
12. Conveyancing	

13. Construction law	
14. Tax law	
16. Forensic Investigation	

16. Functionality Evaluation

NB. Bidders will be evaluated based on the reference letters they have submitted. In accordance with their area of expertise.

NO.	CRITERIA		TOTAL POINTS	SCORE
1.	Bidders' experience supported by evidence of the firm's engagement for services rendered or reference letters from an Organ of State(s) or any other company registered in terms of Companies Act 71 of 2008. Bidders will be evaluated based on the quality and number of relevant reference letters submitted. The bidders must submit relevant reference letters from current and previous clients where legal services were successfully provided. All letters must be on the company letter head of the referee and signed by referee. The referee must be contactable. Reference letters must be supported by a form of payment transaction/ proof of payment (payment history) the payment transaction should be clearly	6 or more reference letters – 30 points 5 reference letters – 25 points 4 reference letters - 20 points 3 reference letters - 15 points 2 reference letters - 10 points 1 reference letter - 05 points	30 Points	

	referenced to the relevant reference letter, Reference letters must not be older than Five (5) years from the closing date of the bid. Note: if the relevant reference letters do not correspond with the payment history points will not be allocated.			
2.	Key Personnel (Bidder to submit CV's of its Director(s) or Partner(s). Director/ Partner Attorney /Associate Candidate Attorney Years of experience for legal practitioners will be calculated from the date of admission (Admission certificate) Years of experience for a candidate legal Practitioner will be calculated from the registration date (Letter from LPC confirming registration)	Director/ Partner If the bidder has more than 15 years' and above – 25 points If the bidder has more than 10 years to 15 years' – 20 points If the bidder has more than 5 years to 10 years' – 15 points If the bidder has more than 3 years to 5 years' – 10 points If the bidder has less than 0 years - 0 points Attorney / Associate If the bidder has more than 5 years' experience. – 15 points If the bidder has more than 4 years' experience – 10 points If the bidder has more than 3 years' experience – 5 point Candidate Attorney 1- 2 years' experience	25 Points 15 points	

		– 10 points 0 -1-year experience – 5 points	10 points	
3.	Free State Based Companies (Attach lease agreement or municipal account)		20 Points	
	TOTAL POINTS		100 Points	

NB: A minimum of 70 **out of 100** for the functional evaluation will qualify the Bid to be included in the panel

17. PROCESS TO BE FOLLOWED FOR SELECTING SERVICE PROVIDERS FROM THE PANEL OF LEGAL EXPERTS PER CATEGORY TO RENDER SERVICES

- a. The panel of Legal Professionals will be appointed in accordance with their areas of specialty based on the bidder getting minimum points for functionality.
- b. The successful Legal Professionals per category will be instructed as a result of RFQ processes.

- c. FDC reserves the right to skip a Legal Professional as a result of RFQ processes when their turn comes if it is found that there are justifiable reasons to do so.
- d. Such reasons may include, but not limited to the following:
 - i. Inability of the Legal Professional to deliver on other previously allocated matters;
 - ii. Capacity of the Legal Professional to deal with the matter at the time the matter arises;
 - iii. If a similar matter was previously handled or is being handled by another Legal Professional on the panel.
- iv. Expertise in the specific field of law.
 - e. When FDC identifies a specific need for services, a detailed brief, scope of work or instructions will be sent to the Legal Professional.
 - f. The appointment of a Legal Professional must be accompanied by an Instruction letter.
 - g. A Instruction letter must be issued to the service provider for each assignment.
 - h. Legal Professionals are required to respond to the Request for Quotation (RFQ) within 7 working days from receipt thereof. Alternatively, as indicated in the RFQ.
 - i. For Emergency procurement, FDC will follow its internal SCM policy processes (service provider will be sourced from the panel with relevant expertise, they will be expected to provide FDC with a quotation within a shorter period as deemed necessary)
 - j. FDC hereby reserves its right to procure legal professional services not provided by the panel.

18. PAYMENTS

- a. FDC undertakes to pay out within a reasonable time all valid claims for work done to its satisfaction upon presentation of a substantiated claim.

No payment will be made on outstanding information not submitted by the Legal Practitioner.

- b. All fees shall be charged in terms of the agreed fee structure which will be in line with the relevant Magistrates Court, High Court and Constitutional Court Tariff for matters other than debt collection.

19. CONTRACT AWARD

- a. FDC reserves the right to accept any proposal submitted or reject all proposals.
- b. FDC reserves the right to reject proposals where parties cannot agree on material terms of the agreement.
- c. Any proposal submitted, that is not in complete compliance with the requirements of the proposal documents may be accepted or disqualified, at the option of FDC .
- d. Acceptance of any bid does not mean that work on an uninterrupted basis is guaranteed for the duration of the contract.
- e. The successful Legal Professionals will be required to sign a Service Level Agreement (SLA) to govern the business relationship.
- f. FDC will not be held responsible for any costs incurred by the Legal Professionals in the preparation and submission of the bid.

20. TERMINATION OF CONTRACT

- a. FDC reserves the right to terminate the agreement within 30 days written notice to the successful bidder subject to the following:
- b.** The successful bidder fails to perform in accordance with the specified service requirements as set out in the RFP;
- c.** The successful bidder fails to provide the service required written explanation;
- d.** The successful bidder otherwise violates the provisions of the RFP to a substantial degree.

21. SPECIAL CONDITIONS

- a. FDC reserves the right to appoint the bidder that proves to be fully capable and qualified to handle and execute the job.
- b. Bids submitted must be in line with the detailed specification. Failure to bid accordingly will automatically disqualify the submitted bid.
- c. FDC reserves the right to cancel or withdraw this bid if:
 - i. Due to changed circumstances, there is no longer a need for these services; or
 - ii. Funds are no longer available to cover the total envisaged expenditure; or
 - iii. No acceptable bids are received; or
 - iv. There is a material irregularity in the Bid process.
- d. In the case of sub-contracting or joint venture agreement, FDC will enter into a single contract with the principal bidder.
- e. FDC reserves the right to call interviews with short-listed bidders before final selection.
- f. FDC reserves the right to conduct supplier due diligence prior to final award or at any time during the contract period. This may include surprise site visits.
- g. Bidders who are not registered on Central Supplier Database (CSD) must register before submission of bids.
- h. Any completion of the bid document in pencil or erasable ink will not be acceptable and will automatically disqualify the submitted bid.
- i. Successful bidder will be required to sign a Service Level Agreement (SLA).
- j. Notwithstanding shortcomings and/or inconsistencies, if any, in this specification, which is only a minimum specification, a bidder shall make provision for a complete solution that will deliver the required service efficiently and cost-effectively.

- k. Bid documents should be deposited in the tender box situated at 33 Kellner Street, Westdene, Bloemfontein on or before **29 July 2026 at 12h00** which is the closing date for this bid.
- l. This request for bid document contains confidential information about FDC , which has been provided to supply potential bidders with the data necessary to provide a holistic response.
- m. No part of the contents may be used, copied, disclosed or conveyed in whole or in part to any party, in any manner whatsoever without the prior written permission of FDC .
- n. Any reproduction or transmission of information contained in this document except for the sole purpose of responding to this bid is strictly prohibited.
- o. References to FDC must not be made in any literature, promotional material, and brochures or sales presentations without the express written consent of FDC .
- p. It is the responsibility of the bidder to ensure that FDC can receive and open the submitted proposal (electronic and otherwise).

22. NON - COMPULSORY ONLINE BRIEFING SESSION

A Non - **Compulsory Briefing Session** will be held as follows:

Date : 15 July 2026

Time : 12:00

Venue : Virtual: Meeting ID: 356 545 050 288 177
Passcode: fn3vh3R7

23. CLARIFICATION / QUERIES

- a. The process of clarification required by a bidder regarding the meaning or interpretation of the Terms of Reference, or any other aspects concerning the bid will be done in writing (e-mail).
- b. Telephonic requests for clarification will not be considered.
- c. The cut-off date for queries is 22 July 2026 at 16h00.
- d. The bid reference number should be quoted in all correspondence.

e. The contact persons are as follows:

Proposals and supporting documentation must be placed in the Tender Box in a sealed envelope clearly marked "BID: APPOINTMENT OF PANEL OF ATTORNEYS"

**Street Address: Free State Development Corporation (FDC)
 33 Kellner Street
 Westdene
 Bloemfontein**

SBD 4

BIDDER'S DISCLOSURE

1. PURPOSE OF THE FORM

Any person (natural or juristic) may make an offer or offers in terms of this invitation to bid. In line with the principles of transparency, accountability, impartiality, and ethics as enshrined in the Constitution of the Republic of South Africa and further expressed in various pieces of legislation, it is required for the bidder to make this declaration in respect of the details required hereunder.

Where a person/s are listed in the Register for Tender Defaulters and / or the List of Restricted Suppliers, that person will automatically be disqualified from the bid process.

2. Bidder's declaration

2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest¹ in the enterprise, employed by the state? **YES/NO**

2.1.1 If so, furnish particulars of the names, individual identity numbers, and, if applicable, state employee numbers of sole proprietor/ directors / trustees / shareholders / members/ partners or any person having a controlling interest in the enterprise, in table below.

Full Name	Identity Number	Name of State institution

2.2 Do you, or any person connected with the bidder, have a relationship with any person who is employed by the procuring institution? **YES/NO**

2.2.1 If so, furnish particulars:

¹ the power, by one person or a group of persons holding the majority of the equity of an enterprise, alternatively, the person/s having the deciding vote or power to influence or to direct the course and decisions of the enterprise.

.....
.....

- 2.3 Does the bidder or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest in the enterprise have any interest in any other related enterprise whether or not they are bidding for this contract?
YES/NO

- 2.3.1 If so, furnish particulars:

.....
.....

3 DECLARATION

I, _____ the _____ undersigned,
(name)..... in
submitting the accompanying bid, do hereby make the following statements that
I certify to be true and complete in every respect:

- 3.1 I have read and I understand the contents of this disclosure;
3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;
3.3 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 consortium² will not be construed as collusive bidding.
3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
3.4 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.
3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.
3.6 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

² 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.

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.

I CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 1, 2 and 3 ABOVE IS CORRECT.

I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST

ME IN TERMS OF PARAGRAPH 6 OF PFMA SCM INSTRUCTION 03 OF

2021/22 ON PREVENTING AND COMBATING ABUSE IN THE SUPPLY

CHAIN MANAGEMENT SYSTEM 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

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) 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
Total points for Price and SPECIFIC GOALS	100

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:

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

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmin = 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:

$$\begin{array}{ccc} \mathbf{80/20} & \mathbf{or} & \mathbf{90/10} \\ \\ \mathbf{Ps = 80 \left(1 + \frac{Pt - P_{max}}{P_{max}} \right)} & \mathbf{or} & \mathbf{Ps = 90 \left(1 + \frac{Pt - P_{max}}{P_{max}} \right)} \end{array}$$

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 organs of state: Where either the 90/10 or 80/20 preference point system is applicable, corresponding points must also be indicated as such.

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)
Pricing (80 Points)	80	
100% Black Women Ownership (10 Points) BBBEE Certificate/Sworn Affidavit	10	
100% Black Youth Ownership (10 Points) BBBEE Certificate/Sworn Affidavit	10	
Total 100 Points	100	

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.

SIGNATURE(S) OF TENDERER(S)

SURNAME AND NAME:

DATE:

ADDRESS:

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