

1. Kindly clarify what do you mean by “Key Deliverables” on page 8 (item 5 on the table).

Response: **The Services you intend to Bid for.**

2. Further to the Operator Privacy Compliance Self-Assessment form, do the part “Information officer or Privacy Officer” including “Compliance Review” refers to in office (Our firm) or your office, EPPF to complete.

Response: **For you to complete.**

We confirm that respondents must submit proof of compliance with Rule 1.20 of the Legal Practice Council Rules in order to prove that they are in good standing. For clarity, practitioners must comply with the following:

*“1.20.1 that the name of the legal practitioner is on the roll of legal practitioners and that he or she has not been suspended from practice;*

*1.20.2 that there are no proceedings pending or contemplated to remove the name of the legal practitioner from the roll of legal practitioners or to suspend him or her from practice;*

*1.20.3 that where the legal practitioner is required to be in possession of a Fidelity Fund certificate, he or she is in possession of a valid Fidelity Fund certificate; and*

*1.20.4 that the legal practitioner is up to date with all amounts owed by him or her to the Council.”*

Please can you provide clarity on:

1. “Business Transactions” (under law of expertise, evaluation criteria, pg 8) does it refer to Banking and Finance sector or more Corporate Commercial? **It refers to both.**
2. Certified Regulatory documents, further to discussions in briefing session on this, our firm holds over 250 directors, will we still require certified copies of Letter of Good Standing and Fidelity Funds Certificates for each practitioner? **Yes**
3. Further to question 2, in our opinion Letters of Good Standing implies we have no complaints against our lawyers and that we paid-up in annual fees with the LPC, therefore would you still require the confirmation in writing? **At this stage we will forgo this requirement. We do however reserve the right to require this confirmation as a condition to appointment of the successful bidders.**
4. Should the mandatory requirement be set for confirmation that there are no complaints against any of our directors, can we obtain one letter or do you require a letter per director? **It can be one letter that references all the directors.**
5. Would you be amendable to a deadline extension? **No**
6. Reference letters, do we only require 3 reference letters for **all** practice areas showcasing work done of a similar nature rather than 3 for each practice area? **You can decide. It can be either. One per practice area you are bidding for is sufficient.**
7. Would you accept submissions via OneDrive Link? **Procurement to respond**
8. AFS, would submission of 2022 be acceptable if our AFS for 2023 not be concluded yet? **Yes.**

Please advise if we can submit our bid via OneDrive? **Yes**

To demonstrate experience in providing legal service advisory and technical services, please advise if we can provide the following documents:

- Reference letters older than 5 years, - **Some context is required in respect of this. Were the services provided more than 5 years ago and in respect of the professionals who will be providing the Services? If that is the case, then yes. If not, then please provide reference letters that are current.**

- CIPC documents confirming years of incorporation as an entity, and
- Our lead attorney's admission certificate and a brief bio- **Yes. This must be in addition to fulfilling the other requirements set out in the RFP such as:**
  - o qualifications and relevant experience.
  - o Proof of admission as an attorney and good standing with the Legal Practice Council in respect of each director of the firm (this includes valid fidelity fund certificates issued to the directors, confirmation of fully paid-up annual fees)
  - o Confirmation of the Firm's good standing with the Legal Practice Council (including confirmation that the Firm submitted its last financial audit to the
  - o Legal Practice Council)

In the briefing session, many bidders raised concerns regarding the aforementioned requirements, particularly regarding Letters of Good Standing (LGS) from the Legal Practice Council (LPC). Please provide clarification –

1. In a scenario where we are unable to provide the Letter of Good Standing for any of our directors or proposed team members due to the following reasons – if we have requested the letter seven days before the closing date of this RFP and the LPC issues the LGS after the RFP closing date, please confirm if will we still have the opportunity to submit the LGS? Alternatively, can we provide proof of payment demonstrating our request for the LGS ?
2. LPC - Please note that not all our directors are admitted attorneys; for example, we have directors such as the CFO, who is an accountant, and some directors who are Chartered Accountants (some of our tax practitioners). How should we proceed with the request for such directors who are not admitted attorneys but are professionals in their respective specialties? – **Then they need to provide letters of good standing from their respective regulating bodies.**
3. Instead of providing LPCs for all directors of our firm, can we instead provide LPCs for the Exco (the highest decision-making body of the firm)? **No. We need these in respect of all directors.**
4. We have requested LPC to confirm if there are any complaints against any of the directors. LPC has confirmed that this is not something they are able to confirm. How should we proceed with this request? **This will not be a disqualifying criterion however we reserve the right to request such confirmations from the successful bidders as a condition to appointment.**
5. As per the briefing we note that we do not have to submit three reference letters for each category. **Yes. However, having more than one reference helps to demonstrates the breadth of your experience.**

6. Our firm intends to bid for all categories. Please advise if we can submit three reference letters from clients in South Africa endorsing our firm for legal services as per the RFP scope of work. **Yes**
7. With regards to the pricing, could you please confirm whether we should provide both the minimum and maximum rates for hourly and daily rates for each designation? **Yes**
8. As per the briefing we note that we do not have to submit three reference letters for each category. **Yes. However, having more than one reference helps to demonstrate the breadth of your experience.**
9. Our firm intends to bid for all categories. Please advise if we can submit three reference letters from clients in South Africa endorsing our firm for legal services as per the RFP scope of work. **Yes**
10. Please confirm the legal services areas listed on page 12 and 13 are the bidding areas? **Confirmed**
11. As noted in the briefing session, the terms of business require signing and acceptance by bidders. Could you please advise if we are permitted to provide markups and comments on the terms of business? **No mark ups will be accepted.**