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## REQUEST FOR QUOTATION:

### **THE APPOINTMENT OF A LEGAL SERVICE PROVIDER FOR PROVISION OF A LEGAL OPINION WITH REGARD TO FARM LAND LEASE FOR NTINGA O.R TAMBO DEVELOPMENT AGENCY SOC LTD**

#### **1. NTINGA O.R TAMBO DEVELOPMENT AGENCY BACKGROUND**

Ntinga O.R Tambo Development Agency SOC Ltd is a wholly owned municipal entity of the O.R. Tambo District Municipality (ORTDM), registered as a State-Owned Company. The mandate of the Agency is the promotion and facilitation of the socio-economic development of our region.

The mandate bestowed upon Ntinga by the parent municipality, O.R. Tambo District Municipality is to perform activities which fall within the functions and powers of district municipalities as contemplated in Section 84(1) of the Municipal Structures Act, 1998 (Act 117 of 1998), which are:

- Integrated Development Planning;
- Potable Water Supply Systems;
- Fresh Produce Markets and Abattoirs;
- Local Tourism Promotion;
- Municipal Public Works;
- Taxes, Levies and Duties; and
- Discretionary Activities.

The current Ntinga mandate is based on the following focus areas:

- Socio-economic development with special focus on agro-processing, manufacturing, and oceans economy.
- Fresh produce markets and abattoirs.
- and any other activity agreed upon with the parent municipality, provincial and national governments, and the private sector (any other related function, in partnership with either Public or Private Sector)".

## **Our Vision**

“Vibrant and Sustainable Communities

### **Our mission:**

Ntinga Shall Attain its Vision Through:

“Being a catalyst for innovation in promoting socio-economic development and sustainable services to communities, through strategic partnerships and new investments”.

## **2. PROJECT BACKGROUND**

The Entity is looking at leasing farmland as part of resource mobilization and enterprise development, those being part of the mandate to stimulate local economic development. Against this background Ntinga seeks in depth technical and practical legal knowledge in this specialised area of law to cover all bases in protecting the interests of all parties involved especially the lessor.

Ntinga O.R. Tambo Development Agency invites accredited and qualified law firms for the provision of the legal opinion on a once off basis.

## **3. SCOPE OF WORK**

Ntinga O.R. Tambo Development Agency SOC Ltd therefore requires the services of a legal practitioner for the provision of a well-researched legal opinion with regard to Farmland leases which covers leases of land for up to 10 years and leases of beyond the period, the legal risks and implications as well as processes and recommendations to mitigate any such risks.

### **NB!!!**

Due to the nature of the work, the service provider is requested to provide an hourly rate for each of the above items and indicate the costs of disbursements where these are foreseen to be necessary as guided by the following table.

<b>NO</b>	<b>POSITION/LEVEL</b>	<b>RATE PER HOUR</b>
<b>1.</b>	Advocate	
<b>2.</b>	Attorney	
<b>4.</b>	Other costs as follows:	
<b>4.1</b>	Document perusal per page	
<b>4.2</b>	Research	
<b>4.3</b>	Compiling legal opinion	
<b>4.4</b>	Copy per page	

4.5	Telephone call per minute	
4.6	Preparing a letter	
4.7	Document perusal per page	
4.8	Email per Page	
5.	Disbursement costs (Supporting Schedule to be provided).	

## 6. EVALUATION CRITERIA

Responses will be evaluated on two stages. The first stage being the functionality and the second stage being the price and preference.

### 6.1 FUNCTIONALITY CRITERIA

The following functionality criteria will be applicable. Bidders must score a minimum of 70 points to proceed to the next stage to be evaluated for price and preference.

#### **6.1.1 Qualifications and Skills of the Legal Practitioner or Specialist (60 Points)**

- The service provider must provide the CV's, qualifications and experience of the legal practitioner who will provide the advice. **(Specialist must have at least 5 years' experience in property law and contracts).**
- Attach CV's and copies of qualifications. (40 points)
- Attach previous contactable references where the practitioner has drafted a legal opinion for clients. (One reference will score 10 points) (Total possible points: 20 points)

#### **6.1.2 Service Provider Experience (40 Points)**

- The service provider must have a minimum of five (5) years' experience in property law transactions and contracting related to public sector clients.
- Attach Company Profile (40 points)

**NB: Bidders must score a minimum of 70 points in order to be evaluated further for price and preference. Bidders who score below will not be considered further and will be disqualified.**

### 6.2 PRICE AND PREFERENCE

Quotations will be evaluated according to the 80/20-point system in compliance with Preferential

Procurement Policy Framework Act.

## 7. COMPULSORY REQUIREMENTS

The Bidder must provide the following:

The law firms must provide a certificate/letter of compliance with the Legal Practice Council of South Africa

**Failure to provide the above-mentioned compulsory requirements, will lead to proposals being disqualified and the submission will not be evaluated further on Functionality, Price and BBBEE.**

**NOTE:** Please visit the Ntinga O.R. Tambo Development Agency SOC Ltd website on <http://www.ntinga.org.za>

## 8. EVALUATION CRITERIA

Responses will be evaluated on two stages. The first stage being the functionality and the second stage being the price and preference.

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