

## Telkom Tender

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**OPEN TENDERS /** e-RFP-00027-2014: RFP\_Legal Tender\_Eastern Region,  
e-RFP-00028-2014: RFP\_Legal Tender\_Southern Region,  
e-RFP-00029-2014: RFP\_Legal Tender\_Western Region,  
e-RFP-00030-2014: RFP\_Legal Tender\_North-Eastern Region,  
e-RFP-00031-2014: RFP\_Legal Tender\_Central Region,  
e-RFP-00032-2014: RFP\_Legal Tender\_Gauteng Region

**FOR THE APPOINTMENT OF TELKOM REGIONAL PANEL OF ATTORNEYS**

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Contact Person : Johan Opperman  
e-mail : OppermJJ@telkom.co.za  
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**Description:**

**OPEN TENDERS /** e-RFP-00027-2014: RFP\_Legal Tender\_Eastern Region,  
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e-RFP-00032-2014: RFP\_Legal Tender\_Gauteng Region

**FOR THE APPOINTMENT OF TELKOM REGIONAL PANEL OF ATTORNEYS**

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This is an e-RFP whereby Respondents must register to gain access to the tender documents. **Supplier Registrations will close on 15 October 2014.** A respondent needs to complete and submit a supplier registration form to Telkom's contact person. See paragraph 2 below.

### GENERAL

**1. Bidders Conference:**

A bidders' conference will be held at various Telkom regions on the dates indicated in the General Bid Conditions (refer to the e-RFP).

**2. Bid Document Collection**

Please note that this is an electronic RFP and Respondents must complete and submit the **"Telkom's Supplier Self-Registration"** access form (See at the end of this document) to the following e-mail address before gaining access to the Bid Document.

Contact Person: Christo Lombard  
E-mail Address: Lombarcw@telkom.co.za

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### 3. Minimum system requirements for electronic access to the RFP.

For internet access the Respondent(s) need to have 1 (one) computer connected to the Internet with 1 (one) back-up system. The following system requirements per computer:

- 3.1 Microsoft Internet Explorer 6, 7, 8, 9 or 10
- 3.2 Microsoft Office 2007 or higher
- 3.3 SAP Sourcing also supports Microsoft Office 2003
- 3.4 Adobe Reader 9.3 or higher

### 4. Tender information and requirements

4.1. Once the Respondent has been given access to the e-RFP, the Respondent must complete all parts as per the requirements of the e-RFP. It is anticipated that for the period from 16 October 2014 until or about 20 October 2014, certain system upgrades will occur which may prevent Respondents from accessing the e-RFP. Respondents are therefore encouraged to complete and submit their responses before 16 October 2014, in case the system upgrades extend beyond 20 October 2014 taking into account the Closing Date of the e-RFP which is 30 October 2014.

4.2. Where there is a requirement for an original document or certified copy, such documents should be scanned and attached to the e-RFP. Telkom may at any time request the original or certified copy to be presented for inspection.

4.3. Where it is required that an auditor's letter or an affidavit from a senior partner or a director of the firm is required to confirm compliance with any requirement, all such requirements can be confirmed in a single letter or a single affidavit. It should be clear in such letter or affidavit as to which requirement/s are being confirmed. In other words the letter or affidavit should refer to each and every requirement and should confirm each and every requirement separately in such letter or affidavit under separate paragraphs.

4.4. Please note that the respondent can apply for one or more Telkom regions provided that it complies with all the pre-qualification criteria as applied to the specific region.

### PHASE 1: PRE-QUALIFICATION CRITERIA

Respondents must submit supporting documentation with the following pre-qualification criteria. Non-submission of any supporting documentation may result in disqualification.

- 1) As at the closing date of this e-RFP, the Respondent must have a valid SARS Tax certificate.

**A valid SARS certificate must be attached to the tender response.**

- 2) A Respondent will be regarded as a qualifying firm if the firm has at least 2 (two) or more partners and/or directors at the closing date of the e-RFP in that particular region for which it is submitting a response.

**A letter from the firm's independent auditor or an affidavit by the senior partner or director of the firm confirming the requirement must be submitted with the tender response. The respondent must submit an original signed document.**

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- 3) The Respondent Law Firm must be established for a minimum period of at least five (5) years in the particular region for which it is submitting a response or alternatively 2 (two) of the directors or partners of the legal practice in the particular region for which it is submitting a response, must each have a minimum of seven (7) years' experience in the capacity of a practicing attorney at the closing date of the e-RFP.

**An affidavit of the senior partner confirming date of establishment of legal practice OR alternatively if the practice is less than 5 (five) years in existence then certified copies of admission certificates of the directors or partners is required to confirm the seven (7) year experience requirement.**

- 4) A Respondent's Law Firm must be located within a radius of 40 kilometers from the Telkom's Regional Legal services offices in respect of the Telkom region for which the Respondent is submitting a response:
- a. Eastern Region (Kwa-Zulu Natal Province): Telkom office address: Old Mutual Centre, 303 Pixley ka Seme Street (West Street), Durban.
  - b. Western Region (Western Cape Province): Telkom office address: 3<sup>rd</sup> Floor Louville Place, Corner Kort & Vrede Street, Bellville.
  - c. North-Eastern Region (Gauteng, with the exception of Johannesburg and surrounding areas), includes Limpopo Province, North West Province and Mpumalanga) Telkom office address: Telkom Towers North, 152 Johannes Ramokhoase Street, Pretoria.
  - d. Southern Region( Eastern Cape Province including George) Telkom office Address: Telkom Centre for Learning, Corner of 16<sup>th</sup> Avenue and Main Road, Walmer, Port Elizabeth.
  - e. Central Region (Free State and Northern Cape) Telkom office address: 195 Nelson Mandela Drive, Bloemfontein.
  - f. Gauteng (Johannesburg and Surrounding areas) Telkom office address: Building 3, Bryanston Office Park, William Nicol Drive, Bryanston.

**A letter from the firm's independent auditor or an affidavit by the senior partner or director of the firm confirming the requirement must be submitted with the tender response. The respondent must submit an original signed document.**

- 5) As at the closing date of this e-RFP the Respondent must have at least the following resources and infrastructure available:
- i. Computer(s), e-mail and internet access.
  - ii. Software applications used in the legal practice to provide legal services to clients.
  - iii. Information security safeguards (i.e. antivirus software, software, firewalls etc.)
  - iv. Back-up and disaster recovery plans.
  - v. Telephone and fax facilities.
  - vi. Printing and photocopying facilities.
  - vii. Library/research facilities.
  - viii. Electronic billing

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**A letter from the firm's independent auditor or an affidavit by the senior partner or director of the firm confirming the requirement must be submitted with the tender response. The respondent must submit an original signed document.**

- 6) At the closing date of this e-RFP, the partners and/or directors of the Respondent must have valid Fidelity Fund certificates.

**A letter from the firm's independent auditor or an affidavit by the senior partner or director of the firm confirming the requirement must be submitted with the tender response. The respondent must submit an original signed document.**

- 7) At the closing date of the e-RFP the firm must be in good standing with the Law Society which reflects that the firm has paid its annual levies and is not subject to any disciplinary action by the Law Society.

**A respondent must submit a letter of good standing from the Law Society or a letter from the firm's independent auditor or an affidavit by the senior partner or director of the firm confirming the requirement must be submitted with the tender response.**

- 8) The Respondent Law Firm must have Professional Indemnity (PI) Insurance.

**A certified copy of the certificate from the insurance company confirming PI details which must include cover per transaction i.e. R per annum and the maximum claim on any one transaction, PI cover annual cap on any insurance payout and PI terms and conditions**

- 9) At the closing of this e-RFP, a Respondent must complete and submit the following documents:

- i. Pro Forma authority for signatory.
- ii. Declaration by Respondent
- iii. Declaration of Interest
- iv. Telkom's supplier code of conduct
- v. Taxation questionnaire and declaration
- vi. Prevention of fraud & corruption questionnaire
- vii. Legal Agreement to provide services
- viii. Telkom law firm guidelines

### PHASE 2: TECHNICAL EVALUATION/RESPONSE

This e-RFP consists of 2 (two) work categories namely:

- i. Work Category 1 - Litigation and Other Dispute Resolution, and
- ii. Work Category 2 - Labour Law.

Respondents may respond to any one or more of the Work Categories.

Respondents are required to complete the Technical Score Card for each Work Category, mentioned in the e-RFP as Technical Score Card, which attachment will set out the technical evaluation criteria of which a Respondent must score a minimum of 75 points out of 100, per Work Category.

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Each score card per Work Category will be evaluated separately. Only respondents that complied with the pre-qualification criteria will be evaluated during phase 2.

### PHASE 3: PART 1 PRICING EVALUATION

1. A Respondent must indicate its respective rates and fees for the work categories it intends to respond to in the format as set out in the e-RFP under Pricing Schedule.
2. Respondents will be required to submit their best offers which in any event may not deviate by more than the percentages indicated below:

#### Under Work Category 1:

- 2.1 A deviation **may not be higher than 30%** in respect of all work done in the High Court under Work Category 1 as per the proposed Telkom hourly rate or tariff listed in the e-RFP.
- 2.2 A deviation may **not be higher than 30%** in respect of all work done in the Magistrates Court under Work Category 1 as per the proposed Telkom hourly rate or tariff listed in the e-RFP.
- 2.3 In respect of all work done in the Criminal Courts (which is optional) under Work Category 1, a Respondent is required to submit its best offer on an hourly rate for each of the items listed under Criminal Law Section. The submission of any offer in respect of work done in the Criminal Courts is optional and will not be taken into account in the evaluation of this e-RFP.

#### Under Work Category 2:

- 2.4 A deviation for work done in the Labour Court may **not be higher than 30%** of the proposed Telkom hourly rate or tariff.
- 2.5 A deviation for work done in the CCMA may not be **higher than 30%** of the proposed Telkom hourly rate or tariff.
3. A Respondent will automatically be disqualified per work category, if any of its proposed rates are more than the percentages as stipulated above for such work category.
4. Respondents will be ranked or scored according to the lowest prices submitted as set out in the e-RFP and based on the weighting per Section within a Work Category.

### PHASE 3: PART 2: BEE EVALUATIONS

As at the closing date of this e-RFP, the Respondent must have a valid B-BBEE recognition certificate issued by an approved IRBA registered auditor or a SANAS accredited verification agency. A valid IRBA or SANAS accredited certificate must be attached to the tender response.

If a Respondent qualifies as an Exempted Micro Enterprise (EME), a letter from its auditors or accounting officer must be submitted to verify accredited EME and percentage of black ownership as required in terms of B-BBEE legislation.

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Refer to the General Bid Conditions in the e-RFP to ensure that the correct B-BBEE documents are submitted by the respondent. Failure to submit the required B-BBEE documentation will result in the Respondent scoring zero for B-BBEE, Black Economic Empowerment (10 points) below.

<b>CONTRIBUTOR LEVEL</b>	<b>B-BBEE RECOGNITION LEVEL</b>
1	10
2	9
3	8
4	5
5	4
6	3
7	2
8	1
<b>Non-Compliant Contributor</b>	<b>0</b>

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**Telkom SA SOC Limited**

Private Bag X74,  
Pretoria,  
0001,  
South Africa  
152 Johannes Ramokhoase Street,  
Telkom Towers North,  
Pretoria  
0002,  
South Africa

**Company registration number:** 1991/005476/30

**VAT registration number:** 4680101146

**Website:** <http://www.telkom.co.za>

### Telkom's Supplier Self-Registration

Thank you for your interest in vending your services / products within Telkom. All information provided will be kept confidential. Telkom however reserves the right to verify and/ or follow up on any information given. All fields must be completed. Where they are not applicable to the applicant, they can be marked as "N/A". Upon receipt of your completed registration, you will receive an E-Mail with your Password. You will receive a second E-Mail confirming your supplier registration and your User ID. Fields marked with an asterisk \* are mandatory.

### SAP Sourcing Supplier Registration

Company Information	
Please specify your company's information.	
<b>*Name:</b>	
<b>*Registration Number:</b>	
<b>*VAT Registration Number</b>	
<b>Website URL:</b>	
<b>Telkom vendor code</b> <i>(only applicable if already a Telkom supplier)</i>	

Address Information			
Please specify your company's address information.			
<b>Physical Address:</b>			
<b>Postal Code</b>			
<b>District/Suburb:</b>		<b>Phone Number:</b>	
<b>City:</b>		<b>Fax Number:</b>	
<b>State/Province:</b>		<b>PO Box:</b>	
<b>Country:</b>		<b>Postal Code:</b>	

Primary Contact Person Information			
Please specify your company's primary contact person information. Note that the information provided below will be used to gain access to the SAP Sourcing system. The primary contact will have the capability to view and submit RFx responses.			
<b>*First Name:</b>			
<b>*Last Name:</b>			
<b>*Job Title:</b>		<b>Department</b>	
<b>*Email Address:</b>			
<b>*Phone Number:</b>		<b>Alt Phone Number:</b>	
<b>*Fax Number:</b>		<b>Alt Fax Number:</b>	

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**SAP Sourcing Supplier Registration - continued**

**Secondary Contact Person Information**

Please specify your company's secondary contact person information. Note that the information provided below will be used to gain access to the SAP Sourcing system.  
The secondary contact will have the capability to view and monitor RFx responses.

<b>*First Name:</b>			
<b>*Last Name:</b>			
<b>*Job Title:</b>		<b>Department</b>	
<b>*Email Address:</b>			
<b>*Phone Number:</b>		<b>Alt Phone Number:</b>	
<b>*Fax Number:</b>		<b>Alt Fax Number:</b>	

**Additional Secondary Contact Person Information**

Please specify your company's secondary contact person information. Note that the information provided below will be used to gain access to the SAP Sourcing system.  
The secondary contact will have the capability to view and monitor RFx responses.

<b>*First Name:</b>			
<b>*Last Name:</b>			
<b>*Job Title:</b>		<b>Department</b>	
<b>*Email Address:</b>			
<b>*Phone Number:</b>		<b>Alt Phone Number:</b>	
<b>*Fax Number:</b>		<b>Alt Fax Number:</b>	



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### SAP Sourcing Supplier Registration - continued

**Product Categories Provided**

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> COURIER<br><input type="checkbox"/> NEW GENERATION NETWORK<br><input type="checkbox"/> CUSTOMER PREMISE EQUIPMENT<br><input type="checkbox"/> TEST EQUIPMENT<br><input type="checkbox"/> SOFTWARE<br><input type="checkbox"/> CONSULTING<br><input type="checkbox"/> ADVERTISING<br><input type="checkbox"/> FINANCIAL SERVICES<br><input type="checkbox"/> RECRUITMENT - STAFFING AGENCIES<br><input type="checkbox"/> BRAND MANAGEMENT<br><input checked="" type="checkbox"/> LEGAL COUNSELLING<br><input type="checkbox"/> ROUTERS | <input type="checkbox"/> SWITCHING - CORE NETWORK<br><input type="checkbox"/> TRANSMISSION<br><input type="checkbox"/> POWER<br><input type="checkbox"/> MISCELLANEOUS CONSUMABLES<br><input type="checkbox"/> IT & PERSONAL COMPUTING<br><input type="checkbox"/> TRAINING<br><input type="checkbox"/> MARKETING INTELLIGENCE<br><input type="checkbox"/> OHASA - PPE PERSONAL PROTECTION<br><input type="checkbox"/> PROMOTIONAL MATERIAL<br><input type="checkbox"/> ARMED RESPONSE<br><input type="checkbox"/> LABOUR SAVING DEVICES<br><input type="checkbox"/> CENTRE FOR LEARNING | <input type="checkbox"/> SWITCHING - ACCESS NETWORK<br><input type="checkbox"/> MOBILE<br><input type="checkbox"/> TOOLS, INSTRUMENTS<br><input type="checkbox"/> OFFICE SUPPLIES & STATIONERY<br><input type="checkbox"/> IT CONTRACTORS - IT & COMMS SERVICES<br><input type="checkbox"/> CREATIVE MARKETING<br><input type="checkbox"/> EVENT MANAGEMENT<br><input type="checkbox"/> MEDICAL EQUIPMENT & SUPPLIES<br><input type="checkbox"/> MEDIA BUYING<br><input type="checkbox"/> PHYSICAL SECURITY<br><input type="checkbox"/> PRINTING PAPER<br><input type="checkbox"/> OSP - OUTSIDE PLANT |
|--|--|--|

**BEE Status**

BEE Recognition Level:

BEE Equity Status:

Black Women Ownership:

**Notes**

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### SAP Sourcing Supplier Registration - continued

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### Data Privacy Statement

Yes, I have read the data privacy statement and accept the terms:

Vendors are referred to Telkom's privacy policy and terms of use on the [www.telkom.co.za](http://www.telkom.co.za) website. Telkom and its employees respect your privacy and the confidentiality of your personal information. Personal information that you supply to us via this website ("your personal information") is only used and processed for the purpose:- For which we request the information, as stated in the relevant webpages; and/or- to the extent necessary to enable Telkom to meet its obligations to you; and- to comply with our legal obligations. Telkom will not disclose your personal information to third parties outside the Telkom Group, unless:- Telkom is permitted or required to do so by law; or- it is in the public interest to do so; or- it is necessary to protect the rights of a company in the Telkom Group; or- you have expressly authorized Telkom to do so. Telkom may from time to time use your personal information to compile profiles for statistical purposes. However, such profiles or statistical data cannot be linked to any identifiable individual. Telkom has put controls in place to prevent unauthorized access to, modification or destruction of your personal information, whether accidental or deliberate. These controls are based on the requirements of the business and conform to commonly accepted industry standards as well as contractual and legal requirements. The various companies in the Telkom Group may have different online privacy policies due to the fact that the nature of their services or products require a deviation from this general policy. If this is the case, the relevant company's specific policy will govern your use of its web site, on-line services and products. Telkom reserves the right to amend this online privacy policy at any time by posting the amended policy on our website. Unless otherwise stated, the current version will apply each time you access our website. Copyright subsists on all materials on this website. You may use the information and print or reproduce materials from this website only for your own non-commercial personal use.

I \_\_\_\_\_ (Please Print), duly authorized representative, the undersigned below, hereby confirm that the information is correct to my knowledge at the time of submission, and should the information change, the changed information will be communicated to Telkom within 24 hours after the change.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Designation

\_\_\_\_\_/\_\_\_\_\_/2014  
Date