

**Address of Registered Office:**

Old Government Printers  
No.5 Textile Road  
Vulindlela Heights  
Mithatha  
5100

**Postal Address:**

P.O Box 1134  
Mithatha, 5100



Tel : +27 (0) 47 531 0346

Fax: +27 (0)47 531 4121

E-Mail : [info@ntinga.org.za](mailto:info@ntinga.org.za)

Website : [www.ntinga.org.za](http://www.ntinga.org.za)

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**TERMS OF REFERENCE**

**THE APPOINTMENT OF A SERVICE PROVIDER/FIRM OF ATTORNEYS FOR THE PROVISION OF LEGAL SERVICES ON A SPECIFIC MATTER 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 falls 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;
- Domestic and Industrial Waste-water and Sewage Disposal Systems;
- Fresh Produce Markets and Abattoirs;
- Local Tourism Promotion;
- Municipal Public Works;
- Taxes, Levies and Duties; and
- Discretionary Activities.

This new Ntinga mandate is derived from various relevant pieces of legislation and is meant to make Ntinga more effective and able to add value to the Parent Municipality.

*Ntinga O.R. Tambo Development Agency SOC Ltd: A Municipal Entity of the O.R. Tambo District Municipality (Reg. 2016/272582/30)*

*Directors: Ms. U.N. Mkize; Dr. L.L. Nolabeni; Ms. N.S.N. Bam; Dr. N.T. Ndudane;  
Ms. N.D.A. Ngewn; Mr. M.M. Pupuma; Mr L. Mbiko (CEO)*

## **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".

## **1. PROJECT BACKGROUND**

The Board of Directors of the Ntinga O.R. Tambo Development Agency SOC Ltd, in providing its oversight over the entity, may from time to time, require the assistance of independent legal advice to carry out its fiduciary duties. The legal advice is sought against this background.

## **3. SCOPE OF WORK**

Ntinga O.R. Tambo Development Agency SOC Ltd therefore requires a service provider/ firm of Attorneys specializing in Civil and Labour litigations to conduct the following:

- Attend preliminary briefing (s), meeting (s) or consultation (s).
- Peruse papers and represent the Agency in court when called upon.
- Provide a final written report on findings and possibly attend a final consultation to table the written report.

## **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.

## **4. EVALUATION CRITERIA**

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

### **4.1 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.

### **Qualifications and Skills of the Labour Law Attorney or Specialist (60 Points)**

- The service provider must provide the CV's, qualifications and experience of the Attorney who will provide the advice. **(Specialist must have at least 5 years' experience in labour law advice and litigation)**
- 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)

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

- The service provider must have a minimum of five (5) years' experience in in civil and labour litigations,
- 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.**

#### **4.2 Price and Preference**

Quotations will be evaluated according to the 80/20-point system in compliance with Preferential Procurement Policy Framework Act.

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

Approved by



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V.Mviko (Ms)

Head Corporate Services