

QUESTIONS AND CLARIFICATION - RFP106/2026, Procurement of a Legal Transaction Advisor for legal advisory services to the Independent Power Producers Office (IPP Office)

1. Is a bidder allowed to include an Executive Consultant who is non-practising lawyer? – **The RFP does not prohibit the inclusion of non-practising lawyers. However, Bidders must ensure that the proposed team collectively (Team Lead and Team members) satisfies the necessary requirements set out in the RFP.**
2. Is a Bider allowed to include Candidate Legal Practitioners in its Bid Submission? – **Ditto.**
3. Is a Bidder allowed to incorporate a Team Member's previous law firm experience related to the RFP? If so. Is a reference letter(**Letter**) specifically mentioning that work experience required? – **Bidders may rely on the relevant experience of their proposed team members, including experience gained while employed at previous firms, to the extent it satisfies the requirements of the RFP. In respect to Reference Letters, Bidders are required to have regard to requirement relating to Reference Letters as set out in the RFP.**
4. Regarding reference Letters: - In relation to item 4 and all sub items under 4, Bidders are requested to have regard to eligibility criteria 5 of the RFP in order to ascertain what constitutes a valid and compliant reference letter. DBSA is not in a position to take a view on matters such as for instance, who the authorized representatives etc should be. Each Bidder is required to undertake its own assessment in relation to the eligibility criteria to ensure the reference letters submitted comply with the criteria.
 - 4.1. should the letter be issued to an individual, i.e. Team Lead or Team Member or its suffices if it is issued in the bidder's name(**Law Firm**) but specifies the relevant work experience in response to the RFP? – **refer to number 4**
 - 4.2. who is the authorised signatory for Client letter i.e. Head of Legal, Senior legal advisor suffices? - **refer to number 4**
 - 4.3. what happens if the Client Authorised Signatory on the Letter has left the Client employment? Do we request a new Letter to be issued by the Client or that Letter remains valid notwithstanding vacation of office by the Authorised Signatory? - **refer to number 4**
 - 4.4. what should be the validity period of the Letter i.e. five years or three years from the date of the issuance of the RFP? - **refer to number 4**
 - 4.5. Does a Bidder have to submit a Letter per the Eligibility Criteria or one letter demonstrating all Criterions suffices? - **refer to number 4**
5. Is there a minimum number of Team Members a Bidder must submit in its Response? – **Bidders undertake their own assessment in relation to their submissions in ensuring that the proposed team evidences sufficient capacity in meeting the requirements of the RFP and in relation to the scope of work set out in the RFP.**
6. Is Bidder limited to 4 Projects per Eligibility Criteria or a Bidder can submit Projects over and above 4 Projects? – **The scoring criteria identify the number of projects required for maximum points but do not prohibit bidders from including additional relevant projects.**
7. Letter of Good Standing (**LOG**): - In relation to item 7 and all sub items under 7, the LOG needs to be valid and it is required for the Team Lead and each team member that is an admitted attorney.
 - 7.1. must the LOG be certified?
 - 7.2. what is the validity period requirement for the LOG?
 - 7.3. must each Team Member provide a LOG or only the Firm or Team Lead must provide the LOG?

8. Whether the IPPO is allowed to issue a Reference Letter? – Having regard to the eligibility criteria in 5, Bidders must undertake their own assessment of what reference letters are needed from their clients in relation to the projects they wish to submit.
9. Whether the Person can include work done for the IPPO? – Bidders may include assignments, provided it satisfies the requirements set out in the RFP and is supported by the required evidence.
10. Does the LPC registration requirement apply only to team members who are admitted as attorneys in South Africa, or does it extend to all legally qualified professionals proposed on the team regardless of their jurisdiction of admission? - The requirement to provide a certificate of registration and Good Standing issued by the Legal Practice Council (LPC) applies only to those proposed team members who are admitted as attorneys in South Africa.
11. Where a proposed team member holds legal qualifications and admission in a foreign jurisdiction (and will submit their foreign admission certificates), will they be considered compliant with this pre-qualifier, or must they also hold LPC registration? - Does the LPC registration requirement apply only to team members who are admitted as attorneys in South Africa, or does it extend to all legally qualified professionals proposed on the team regardless of their jurisdiction of admission? - Where a proposed team member is legally qualified and admitted solely in a foreign jurisdiction, and is not admitted as an attorney in South Africa, the LPC registration requirement will not apply. Such foreign qualified legal practitioners must submit a copy of admission certificate as an attorney in the relevant foreign jurisdiction.