



SOUTH AFRICAN HERITAGE RESOURCES AGENCY

TERMS OF REFERENCE

RFQ SAHRA 25/2026

**THE SOUTH AFRICAN HERITAGE RESOURCES AGENCY (SAHRA) INVITES
SUITABLY QUALIFIED AND EXPERIENCED SERVICE PROVIDERS FOR THE
APPOINTMENT OF LEGAL REPRESENTATIVE – TO REPRESENT SAHRA AT
A TAXATION OF LEGAL COSTS AT THE MAGISTRATES' COURT**



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TERMS OF REFERENCE - REQUEST FOR PROPOSALS: APPOINTMENT OF A LEGAL REPRESENTATIVE TO REPRESENT SAHRA AT A TAXATION OF LEGAL COSTS

1. PURPOSE

- 1.1 The South African Heritage Resources Agency (SAHRA) seeks to appoint an external legal service provider from CSD to act as a legal representative in a taxation of legal costs before a taxing Master of the Cape Town Magistrates' Court.

2. BACKGROUND

- 2.1 SAHRA received a judgment against it in November 2025 for capital, interest and legal cost at the Cape Magistrates' Court. SAHRA has settled the judgment and interest with legal cost subject to a Bill of Cost to be prepared by the opposing attorneys.
- 2.2 SAHRA has not agreed to settle the legal cost, no Bill of Cost has been received with SAHRA needing representation to represent it going forward.

3. SCOPE OF THE SERVICE REQUIRED

The selected service provider will be required to:

- 3.1 Consult with internal stakeholders to understand the case background and context;
- 3.2 Review a Bill of Cost, once received from the opposing attorneys and consider all relevant documents;
- 3.3 Develop a case strategy including preparation to oppose the taxation.
- 3.4 Generally represent SAHRA before the taxing Master at the Cape Town Magistrates Court.



4. DELIVERABLES

The service provider must deliver the following:

- 4.1 Initial consultation report outlining case understanding and proposed approach;
- 4.2 Prepare and oppose taxation of Legal Costs before the Taxing Master.

5. DURATION OF ASSIGNMENT

- 5.1 The engagement is expected to commence once the Bill of Cost is served until the taxation is finalised.

6. QUALIFICATIONS AND EXPERIENCE

The appointed legal practitioner must meet the following minimum criteria

- 6.1 Admission as a legal practitioner of the High Court with at least 5 years post-admission experience with specific experience in litigation and taxation of Legal Costs.
- 6.2 Demonstrable experience in litigation.
- 6.3 No current or past conflicts of interest with any parties involved in the matter;
- 6.5 Strong communication and analytical skills.

7. PROPOSAL REQUIREMENTS

Interested panel firms are requested to submit a written proposal including:

- 7.1 A cover letter confirming availability and acceptance of scope;
- 7.2 Details of the nominated legal practitioner(s), including CVs;
- 7.3 A summary of relevant experience in similar matters;
- 7.4 Confirmation of absence of conflict of interest;
- 7.5 A pricing proposal based on hourly or daily rates, with an estimate of total cost;

8. TERMS AND CONDITIONS

- 8.1 All costs and expenses incurred by the potential service providers relating to their project proposal will be borne by each respective service provider. SAHRA will not be liable to pay such costs and expenses or to reimburse or compensate service providers in the process under any circumstances, including the rejection of any proposal or the cancellation of this project.
- 8.2 SAHRA reserves the right to request new or additional information regarding each bidder and any individual or other people associated with its proposal.
- 8.3 SAHRA may require responsive bidders to present and discuss their proposals in person.
- 8.4 SAHRA reserves the right not to make any appointment from the proposals submitted.
- 8.5 Bidders shall not issue any press release or other public announcement pertaining to details of their project proposal without the prior written approval of SAHRA.
- 8.6 Bidders are required to declare any conflict of interest they may have in the transaction for which the bid is submitted or any potential conflict of interest. It is important that bidders declare their conflict of interest through completion of relevant attached forms.
- 8.7 SAHRA reserves the right not to consider further any bid where such a conflict of interest exists or where such potential conflict of interest may arise.
- 8.8 Any and all project proposals shall become the property of SAHRA and shall not be returned.
- 8.9 The bid offers and proposals should be valid and open for acceptance by SAHRA for a period of 60 days from the date of submission.
- 8.10 Bidders are advised that submission of a proposal gives rise to no contractual obligations on the part of SAHRA.
- 8.11 SAHRA reserves the right not to award the bid to the bidder that scores the highest points.

- 8.12 Disputes that may arise between SAHRA and a bidder must be settled by means of mutual consultation, mediation (with or without legal representation) or, when unsuccessful, in a South African court of law.
- 8.13 In addition to adherence to the specific terms and conditions of proposals, provided in this document, the bidder shall be bound by the provisions of the General Conditions of Contract attached hereto, an original signed copy of which must be submitted together with all other bid documentation.
- 8.14 All returnable bid documents must be completed in full and submitted together with the bidder's proposal. Should the returnable documents not be completed, the bid will not be considered any further.
- 8.15 The successful bidder will be subject to supplier clearance process as prescribed by the National Treasury. This process includes, verification of supplier and its shareholders/directors/members' status on the list of defaulters and restricted suppliers.
- 8.16 The proposal must include a company profile/ organization profile, comprising a description of the organization of the bidder, its primary business activity, clients experience, management etc.
- 8.17 After the successful service provider has received the purchase order, they must be able to deliver in full compliance with South African approved standards and in compliance to the specifications provided.

9. RETURNABLE DOCUMENTS

- a. SBD 1 Invitation to BID
- b. SBD 2 Tax Compliance Status Pin
- c. SBD 3 Pricing Schedule
- d. SBD 4 Bidder's Disclosure form.
- e. SBD 6.1 Preference points claim form (valid BBBEE certificate must be submitted together with this completed document).
- f. SBD 7.2 Contract Form (Rendering Services).
- g. General Conditions of Contract

- h. Proof of Registration with National Treasury Central Supplier Database (CSD Report)

NB: Failure to submit completed returnable forms as mentioned above may disqualify your quotation.

10. ANTICIPATED TIME SCHEDULE AND PROCESS

Request for Quotations Issued	E-mail to CSD legal practitioners	25 September 2026
Closing Date	Proposals submitted to SAHRA	02 October 2026

11. EVALUATION CRITERIA

- a) All proposal offers received shall be evaluated based on the following phase out approach:
- **Phase one:** Compliance to the terms of reference and conditions of the RFQ. Failure to meet any of the conditions of the tender will automatically disqualify your RFQ on this phase.
 - **Phase two:** preference points for Broad-Based Black Economic Empowerment (BBBEE) Status Level of Contribution (80/20 preference points system), where 80 points are allocated to price, and 20 points are allocated to BBBEE status level as follows;

Preference Point System	Points
Price	80
Special Goals	20
Black owned company	10
Women	5
Youth	2
Disability	3
Total points for Price and SPECIFIC GOALS	100

12. Price (Vat included)

80 Points for price will be awarded with reference to the total fixed proposal amount inclusive of VAT. The service provider with the lowest price shall score the maximum 80 points.

13. SUBMISSION OF PROPOSALS

Proposals must be submitted via e-mail to: tenderinfo@sahra.org.za , for the attention of **Acting Supply Chain Management - Proposal No: RFQ SAHRA 25/2026**

It remains the onus of the service provider to ensure that their Tender Offer reaches the SAHRA mailbox no later than the closing date and time.

14. CLOSING DATE AND TIME

Closing Date: 02 October 2026 at 11h00 – No late PROPOSALS will be accepted.

15. ENQUIRIES

For technical information, please contact:

Mr. S. Mome
Company Secretary & Head of Legal
South African Heritage Resources Agency
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8000
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For Supply Chain related enquiries, please contact:

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