

Scope of Legal Services

The successful firms of attorneys will be required to render legal services to the College, including but not limited to the following:

3.1.1 Labour Law

- Dispute resolution and collective bargaining matters.
- Representation at the CCMA, ELRC, GPSSBC, Labour Court and Labour Appeal Court.
- Disciplinary hearings and appeals.
- Misconduct, incapacity, and poor performance matters.
- Employment contracts and conditions of service.
- Organisational restructuring and retrenchment processes.
- Labour law opinions and advisory services.

3.1.2 Contract Management and Drafting

- Drafting, reviewing, vetting and negotiation (if requested) of contracts and agreements.
- Service level agreements, memoranda of understanding, lease agreements and partnership agreements.
- Contractual dispute management and enforcement.

3.1.3 Litigation and Dispute Resolution

- Representation in Magistrates' Courts, High Courts, Supreme Court of Appeal and Constitutional Court where required.
- Civil litigation and debt recovery.
- Alternative dispute resolution, including mediation, arbitration and settlement negotiations.
- Provision of legal opinions and litigation risk assessments.

1.3.1.4 Commercial and Corporate Law

- Commercial transactions and agreements.
- Corporate governance advice.
- Compliance with applicable legislation and regulatory frameworks.
- Legal support relating to public-private partnerships and strategic collaborations.

3.1.5 Legal Research and Opinions

- Conducting detailed legal research.
- Preparation of legal opinions and advisory memoranda.
- Interpretation of legislation, regulations and policies affecting the College.
- Monitoring legislative developments and advising on legal implications.

3.1.6 Property and Conveyancing

- Transfer and registration of immovable property.
- Property-related legal advice.
- Lease agreements and servitude matters.
- Property disputes and land-related matters.

3.1.7 Construction and Engineering Law

- Drafting and reviewing construction contracts.
- Advice on infrastructure development projects.
- Contract administration and dispute resolution.
- Claims management and adjudication processes.

3.1.8 Procurement and Supply Chain Management Law

- Advice on procurement legislation and regulations.
- Bid disputes, appeals and reviews.
- Contract award disputes.
- Legal support relating to supply chain management processes.

3.1.9 Regulatory Compliance and Governance

- Advice on compliance with applicable legislation.
- Governance and risk management advisory services.
- Review and development of policies and procedures.
- Advice on statutory and regulatory obligations applicable to public TVET colleges.

3.1.10 Investigations and Forensic Matters

- Conducting or supporting investigations.
- Legal support during disciplinary and misconduct investigations.
- Fraud, corruption and maladministration matters.
- Preparation of investigation reports and legal recommendations.

3.1.11 Debt Recovery and Collections

- Recovery of outstanding debts.
- Institution and management of legal proceedings for debt collection.
- Settlement negotiations and enforcement of judgments.

3.1.12 Training and Capacity Building

- Provision of legal awareness workshops.
- Training on labour law, governance, procurement and compliance matters.
- Legislative update sessions for management and Council.

3.1.13 Information and Data Protection

- Advice on POPIA compliance.
- Information governance and privacy matters.
- Data breach response and related legal services.

3.1.14 Other Legal Services

- Any other legal matters that may arise from time to time in the operations of the College.
- Urgent legal interventions, interdicts and emergency applications.
- Representation before tribunals, commissions, regulatory bodies and other forums.

Administration Clause

The appointed attorneys shall:

- Provide written legal opinions within agreed turnaround times.
- Submit regular progress reports on all active matters.
- Maintain professional indemnity insurance.
- Declare and manage conflicts of interest.
- Maintain strict confidentiality of College information.
- Attend meetings of Council, Committees, Management and other College structures when requested.