



INVITATION TO EXPRESS INTEREST FOR PROVISION OF LEGAL SERVICES TO THE NSI

The Namibian Standards Institution (NSI) is one of the key performance indicators (KPI) of the country's national quality infrastructure. The first is the National Quality Policy (NQP) adopted by the cabinet. The other KPI is the Legal Infrastructure consisting of the Standards Act No 18 of 2005, the Metrology Amendment Act No 17 of 2005 and the Accreditation Board of Namibia Act No 8 of 2005.

Invitation to express interest for provision of legal services to the NSI

1. Introduction

- ❖ Law firms are hereby invited to express their interest to be considered for appointment into a pool of preferred legal services provider to the Namibian Standards Institution (NSI) for a period of three (3) years.
- ❖ In light of its legal mandate and in response to its business requirement, NSI is seeking interested firms that have extensive experience to serve on its panel of attorneys, that will assist its in-house legal division in providing legal services to Management to support daily operations as well as to provide legal advice and services to its Board of Directors, as the need arises.

2. Purpose of the Pool of Legal Service Provider

- ❖ The purpose for the establishment of a pool of preferred legal service providers is to enable the NSI to, from time to time and whenever necessary, appoint firms with appropriate expertise, to provide Legal Services to the NSI for a period of three (3) year.
- ❖ NSI seeks to establish a panel of attorneys invites all eligible law firms within the legal fraternity to indicate their interest to provide NSI with timely legal services in various spheres of the law (i.e. Legal collections, litigation,

Namibian Standards Council (NSC) members

Mr. Paul Natangwe Kalenga, Chairperson | Ms. Matilda Kahimbi Jankie-Shakwa, Vice Chairperson
Mr. Vincent Nowaseb, Member | Mr. Thaddeus Eli-Megameno Shigwedha, Member | Mr. Lloyd Londt, Member | Ms. Monica Nehemia, Member
Dr. Eino Mvula, CEO (Member, Ex-Officio) | Ms. Cynthia Anyanwu, Legal Advisor and Company Secretary

commercial, conveyancing, property related matters and labour) in accordance with the requirements as detailed herein.

3. Scope of Services

Qualifying firms shall form part of NSI panel of attorneys, which shall be responsible to provide specialist legal services to NSI Board of Directors and Management, at NSI special instance and request.

The Legal services solicited herein shall include, but not limited to:

- ❖ Commercial Law - inclusive of drafting/vetting of contracts and litigation relating to:
 - Corporate Governance
 - Consulting Services (excluding investments & actuarial)
 - Sale, Lease & Transfer of properties (excluding shares)
 - Debt Collection
 - Intellectual Property/Trademarks
- ❖ Labour Law- inclusive of:
 - Legal advice on employment
 - Resolution of labour disputes
 - Drafting of employment contracts
 - Drafting of company policies (excluding investments & retirement fund administration)
 - Litigation
- ❖ Constitutional and administrative law
- ❖ Legal due diligence assessment

OR / AND

- ❖ Providing a variety of high quality and timely legal opinion and advice to NSI on a variety of legal matters;
- ❖ Being intimately familiar with NSI Policies, Codes and applicable legislation and regulatory requirement;

- ❖ Representing NSI litigious and other legal matters;
- ❖ Reviewing and occasionally drafting contracts, company policies and other documents as requested by the NSI;
- ❖ Reviewing and making recommendations on a variety of projects and proposals which have legal ramifications;
- ❖ Researching and advising on alternative approaches to resolving legal problems.
- ❖ Provide legal opinions/advice;
- ❖ Provision of services as a review committee members and arbitration panellists,
- ❖ Negotiate and draft agreements;
- ❖ Conduct litigation (mostly High Court; Labour Court);
- ❖ Alternative Dispute Resolution;
- ❖ Corporate Governance; Company Law; Company Secretariat;
- ❖ Procurement (Tenders, RFP, etcetera);
- ❖ Regulatory compliance – companies,
- ❖ Draft legislation and regulations/Legislative interpretation/opinions

4. Statements of Qualifications

Interested firms must provide the following information indicating that they are qualified to perform the services and Applicant's Company History, Current Ownership, General Employee Structure and BEE, AA and CSR Initiatives:

1. Name of Firm, address and contact information;

Indicate the Key Legal Service Team responsible to provide the legal services to the NSI, provide the following details:

- Position
- Title
- Gender
- Full names

- Identity number
 - Years of experience
 - Specific area of legal service to be rendered/ proposed
 - Telephone number
 - Cellular number
 - Facsimile number
 - Email address.
2. Formal Company profile on a company letter head, adequately reflecting:
 - a) Personnel qualification
 - b) Specialized legal services competences, where applicable;
 - c) Capacity and capability to perform on short notice and in a timely manner;
 - d) Approach to communication with NSI in regards to progress and status reports, recommendation and / or status of opinions etc.
 - e) Affirmative action practices;
 - f) Fee structure and all items constituting chargeable tasks; and
 - g) Motivation why such application should be favorably considered;
 - h) The elected address for purposes of delivery of all notices and communication in respect hereof.
 3. Understanding of the services to be provided; and
 4. The applicable conflict of interest policy applying to engagement in terms hereof.
 5. A brief company history of the applicant, including information relating to the establishment of the legal firm.
 6. Detail and evidence of level of ownership proven by a shareholder's agreement or partnership agreement and where applicable all accessions Public thereto, including information relating to the percentage of ownership and/or employment equity with regards to previously disadvantaged individuals.

7. Overall employee compliment indicating all partners, directors, consultants, associates, number of admitted legal practitioners and / or conveyancers employed, gender and diversity profile.
8. Details of the applicant's international footprint and specifically in Africa.

5. Mandatory documents

The following documents (copies) should accompany the response hereto:

- a) Admission certificates in respect of each attorney / conveyancers and confirmation that the said attorney is in the fulltime employ of the firm;
- b) Fidelity Certificate
- c) VAT and Income Tax registration certificates;
- d) Certificate of Good Standing with NamRa;
- e) Certificate of Good Standing with the Social Security Commissioner;
- f) Company registration documents.
- g) Affirmative Action Compliance Certificate

6. Submission of documents

Documents are to be submitted in a sealed envelope at the NSI Head Office, 37 Feld Street, Windhoek, clearly marked Provision of Legal Services, to be deposited in the tender box, not later than the 14th of July 2023 at 12h00.

All responses hereto shall fully address the submission requirement, be legibly signed in ink by the respondent, and be submitted on time to the proper address. Any response that does not comply with the requirement of this Request shall not be accepted.

Expressions submitted in respect hereto shall be valid for a period of 30 days after closing.

7. Review and Selection Process

All responses shall be subject to a review and assessment process, in accordance with the NSI Procurement policy. NSI reserves the right to invite shortlisted firms for a presentation/interview.

The qualifying firms shall demonstrate that it is a current member and in good standing with the Law Society of Namibia; and possess the capacity, experience and capability to provide the required service;

Letters of references may serve as an added advantage;

8. General Terms and Conditions

All Expressions of Interest submitted shall be subject to the Tender and supply chain policy of the Namibian Standards Institution.

All Expressions of Interest will be treated confidentially and results will only be made available to participating firms. Please note that NSI will notify all applicants of the outcome of their application and no forms of correspondences will be entertained before such notification.

NSI reserves the right to engage in discussion with any participating firm at any stage or enters into post-tender negotiations at its sole discretion.

NSI does not bind itself to accept the lowest or any offer submitted, shall not provide any reason for failure to do so, and will not be held liable for any expenses incurred by any participant in preparation of its expression.

NSI accepts no responsibility for a Response not reaching the proper office before the closing date / time and late responses will not be considered.

No expression of interest received by telegram, e-mail, facsimile or similar medium will be considered.

The successful applicants shall upon receipt of written notification of appointment, be required to conclude a Service Level Agreement in which agreed service levels and fees will form an integral part of the agreement.

All enquiries related to this Request are to be directed to:

Hanna Ambunda

Procurement Officer

Windhoek, Namibia

Tel: +264 (0) 61 386400

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