

BID CLARIFICATION MATRIX



FRAMEWORK TITLE FOR PROVISION CONSULTANCY SERVICES FOR LEGAL SERVICES, EMPLOYMENT MATTERS

[FRAMEWORK NUMBER: TMA/FWA/HR/03/2025]

JULY 2025

FRAMEWORK TITLE FOR PROVISION CONSULTANCY SERVICES FOR LEGAL SERVICES, EMPLOYMENT MATTERS

SECTION 1: QUERIES AND RESPONSES

This section contains queries requested by bidders and responses provided against each in relation to Supervision services for the design and construction of water supply systems for seven border posts. All queries must be submitted to frameworks@trademarkafrica.com ONLY. TMA shall not answer any query relating to this tender seven days or less prior to the submission deadline.

S/No.	Query	Response	Status (closed, open or pending)
1.	<p>Part B: Selection Criteria: A- Firm's Experience (pg 10)</p> <p>First bullet: Kindly clarify what constitutes acceptable evidence for "at least 7 years' experience specializing in employment law services to organizations with similar capacity, regional coverage, and scope and requirement in numbers i.e if a letter of engagement suffices how many such letters would suffice (14 marks).</p> <p>Fourth Bullet: Kindly clarify what evidence shall suffice to demonstrate experience in drafting contracts, policies, and handbooks, and handling employment disputes, including mediation and arbitration and requirement in numbers i.e if a contract engagement suffices how many such letters would suffice (3 marks)</p> <p>Fifth Bullet: Kindly clarify what constitutes demonstration of sufficient experience in handling employment disputes, including mediation and arbitration and requirement in number i.e if a letter of recommendation suffices how many letters would suffice (3 marks)</p> <p>Additionally, how do the above differ in expectations from: Bullet 2: "Proof of five similar assignments with letters of completion (10 marks)", and</p>	<p>Recommendation letters/Reference letters from clients on the services</p> <p>Recommendation letters/Reference letters from clients on the services</p> <p>Recommendation letters/Reference letters from clients on the services</p> <p>This is a testimonial of general legal service (encompassing the aspects of the Terms of reference.) The above points are targeted to individual areas or speciality and delivery that re core to the assignment.</p>	Closed

	Bullet 3: “Proof of experience in employment-related legal cases and success rate (20 marks)”?		
2.	<p>We refer to the above terms of reference.</p> <p>We note that Part B – Selection Criteria requires us to “attach proof of 5 similar assignments i.e. letters of completion (2 marks for each assignment)” to demonstrate our experience handling similar assignments for reputable regional organizations like TMA. Due to advocate-client privilege, we are unable to share confidential details or formal completion letters for matters handled on behalf of our clients. Therefore, please confirm if 5 client reference letters will suffice as proof of our experience in similar assignments.</p>	Yes. Client reference letters will suffice with. The letters should detail out the services rendered to the clients.	Closed
3.	<p>I am writing in connection with the RFP referenced in the subject line. We understand that for this phase, the evaluation will be based on Part A: Preliminary Requirements and Part B: Selection Criteria as outlined in the RFP document. However, we have noted that the document also includes the following annexures:</p> <ul style="list-style-type: none"> • Annex 4: Framework Agreement Template • Annex 5: Contract for Services Template (Contract for Consultancy Services) • Section 3: The Services (Terms of Reference) • Section 4: Special Conditions and Consultant's Key Personnel • Section 5: Fees 	Yes, these documents should be submitted. The review of the documents will follow after the initial stage is passed.	Closed

	Could you kindly confirm whether these documents are required to be completed and submitted at this stage, or should they only be provided if consultants are successful in passing the initial evaluation stage?		
4.	Could you please confirm whether it would be acceptable to provide a financial declaration letter in place of the audited financial statements (AFS), and if so, would this be sufficient for your requirements?	No, audited financial statements are a requirement.	Closed

SECTION 2: TIPS ON HOW TO PREPARE AND SUBMIT A COMPETITIVE BID

1. Administrative: -

- 1.1 Correct language (with translation/s where different language is used);
- 1.2 Timelines complied with;
- 1.3 Full response to tender requirements;
- 1.4 Attachment of required documents as per the bid instructions such as:
 - 1.4.1 Registration certificate/s;
 - 1.4.2 Tax compliance/ registration;
 - 1.4.3 Professional registrations such as that for engineers, architects, environmentalists, accountants, supply chain experts, etc, etc;
 - 1.4.4 Power of attorney; and
 - 1.4.5 Audited accounts for the years requested.
- 1.5 Accurate sealing/ naming of bids envelopes; and
- 1.6 Timely submissions (no last-minute rush!).

2. Technical: -

- 2.1 Very good methodology:
 - 2.1.1 Good work-plan.
 - 2.1.2 Understanding of TORs.
- 2.2 Evidenced based experience;
- 2.3 Excellent proposed team of experts/ personnel;
- 2.4 Compliant structure of bid;
- 2.5 Signed CVs of proposed experts/ personnel alongside declaration by individual of her/ his CV not being used by any other firm within the same bid especially where cross-biding is barred;
- 2.6 Keen attention on high/ important technical requirements/ qualifications areas & scoring more;
- 2.7 Quality assurance of the bid;
- 2.8 Well arranged, titled and easy to read proposal;
- 2.9 Defined jargon where used;
- 2.10 Demonstrated creativity and uniqueness of the technical bid;

3. Financial: -

- 3.1 Inclusion of taxes when advised to.
- 3.2 Fair pricing.
- 3.3 Signed submission form/s.

4. Post-award: -

- 4.1 Positive due diligence.
- 4.2 Accurate bid information.
- 4.3 Good performance (quality, cost, quantity, etc) on award of contract.

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