

**REF CCA 084/2021 – 2022**

**EXPRESSION OF INTEREST FOR THE PROVISION OF LEGAL SERVICES TO THE  
COMPETITION AND CONSUMER AUTHORITY**

**1. BACKGROUND**

- 1.1. The Competition and Consumer Authority ("CCA") was established by the Competition Act of 2018 as a body corporate under the Ministry of Investment Trade and Industry. The mandate of the CCA is the prevention of and redress for anti-competitive practices in the economy and the removal of constraints on the free play of competition in the market through the implementation of the Competition Act. It is also mandated to protect the interests of consumers through the prohibition and control of unfair business practices by implementing the Consumer Protection Act of 2018.

**2. INVITATION AND SCOPE OF WORK**

- 2.1. The CCA is embarking on a process to engage a limited number of firms to appoint to its panel to provide *ad hoc* specialised legal services for a period of two (2) years.
- 2.2. The areas upon which legal services may be required include, without limitation:
- a. Competition law;
  - b. Consumer Protection law;
  - c. Labour and Employment law;
  - d. Litigation;
  - e. Commercial law; and
  - f. Mergers and Monopolies.

- 2.3. Firms are invited to submit proposals to be considered for engagement for the provision of legal services to the CCA. The proposals will be evaluated, and suitable firms will be selected for inclusion on the panel of legal service providers. Such inclusion will be on a non-exclusive basis and CCA may as and when the need arises invite any firm included on the said panel to provide legal services on any of the above areas.

### **3. ELIGIBILITY REQUIREMENTS**

- 3.1. Interested firms must meet the following requirements and or submit the information in order to be considered for the selection:
- a. the latest Trust Account audit report;
  - b. Certified copies of current practicing certificates for all attorneys in the firm;
  - c. Fidelity certificates;
  - d. Current Income Tax Clearance certificate;
  - e. Current Value Added Tax Clearance certificate;
  - f. The Law Firm/Practitioner should be registered with the Law Society of Botswana
  - g. Public Procurement and Assets Disposal Board (PPADB) certificate;
  - h. Schedule of fees for legal services expressed in hourly rates. A distinction should be drawn between fees for candidates, junior and senior counsel;
  - i. Confirmation that there is no conflict of interest which would prevent the firm, partner or any professional associate from providing legal services; and
  - j. Details of any litigation, enforcement or disciplinary action against the firm, its partners or professional associate relating to professional services in the last five (5) years.

### **4. BUSINESS ASSESSMENT**

- 4.1. Interested firms must also submit a firm profile inclusive of;
- a. At least three (3) written and traceable references from other stakeholders including the legal services provided;
  - b. Breakdown of the client support that will be afforded to the CCA including relationship management, dedicated resources and complaint resolution procedure;

- c. Details of your business continuity plan; and
- d. Quality control procedures in place for supervision and or monitoring work performed by pupil attorneys or interns.

## **5. DISCLAIMER**

5.1. CCA shall not be responsible for any costs incurred by any firm in the preparation or submission of any proposal or to procure or contract for any services.

5.2. Selection does not confer any exclusivity rights, guarantee that a firm will receive instructions from CCA or amount to a retainer.

## **6. ADDITIONAL INFORMATION**

Interested firms must submit their profiles at the Competition and Consumer Authority, Plot 28, Matsitama Road, Main Mall, Gaborone no later than **Thursday 08<sup>th</sup> July 2021 at 1600hrs**

### **ENQUIRIES**

For any further technical enquiries, the following can be contacted

Mr Kesego Modongo

Telephone: 3712025

Email: [Kesego.modongo@competitionauthority.co.bw](mailto:Kesego.modongo@competitionauthority.co.bw)

Procurement queries can be directed to:

Ms. Felicity Bogacu

Telephone: 3712032

Email: [felicity.bogacu@competitionauthority.co.bw](mailto:felicity.bogacu@competitionauthority.co.bw)