



INVITATION TO EXPRESSION OF INTEREST FOR INCLUSION ON THE NON-BANK FINANCIAL INSTITUTIONS REGULATORY AUTHORITY'S PANEL OF LEGAL PRACTITIONERS

NBFIRA EOI/003/2025-2026

1. PREAMBLE

The Non-Bank Financial Institutions Regulatory Authority (NBFIRA) invites expressions of interest from well-established and reputable 100 percent citizen owned law firms, registered with the Public Procurement Regulatory Authority (PPRA: Code 318 – Legal Service, Sub-codes, 01 Legal services, 02 Conveyancing, and 03 Notary Public). The law firm should be licensed to practice law in Botswana in accordance with the Legal Practitioners Act (Cap. 61:01), for inclusion on NBFIRA's Panel of Legal Practitioners (Legal Panel) for a period of five years.

2. BACKGROUND

The Non-Bank Financial Institutions Regulatory Authority (NBFIRA) is established under the Non-Bank Financial Institutions Act (NBFIRA Act) and is mandated by Section 5 of the NBFIRA Act to regulate and supervise Non-Bank Financial Institutions (NBFIs) with the goal of contributing to the stability of the financial system. NBFIRA aims to ensure the safety and soundness of NBFIs, promote the highest standards of conduct, and reduce financial crime.

3. TERMS OF REFERENCE

The bidder shall be required to meet to the following objectives:

- (a) To provide external legal advice on instructed matters;
- (b) To attend to various courts and tribunals, including the Non-Bank Financial Institutions Tribunal (NBFIT);

- (c) Attend to remedial actions such as debt collection, liquidation, statutory management, judicial management etc.
- (d) Attend to matters on an urgent basis as and when required.

4. SCOPE OF WORK

4.1. The Legal Panel will consist of selected law firms, who will be engaged from time to time to provide legal services to NBFIRA. Interested firms are required to demonstrate in – depth knowledge of the following, without limitation:

- (a) Financial Service Laws as per NBFIRA Act;
- (b) Company Law/Commercial Law;
- (c) Procurement and Competition Law;
- (d) Employment and Labour Relations;
- (e) General Litigation;
- (f) Intellectual Property Law;
- (g) Contract Law;
- (h) Mergers and Acquisitions;
- (i) Legislative Drafting;
- (j) Conveyancing;
- (k) Tax Law;
- (l) Construction Law;
- (m) Debt Collection; and
- (n) General Legal Services.

4.2. Selected law firms will be appointed to NBFIRA’s legal panel for a period of five (5) years which may or may not be renewed subject to written agreement by the parties.

4.3. The appointment to the panel does not guarantee that legal work will be available and/or will be awarded to any or all of the firms selected, nor shall it be construed as creating any binding obligations on the part of NBFIRA.

4.4. The existence of the Panel does not preclude NBFIRA from engaging the services of other law firms outside the Panel.

5. SUBMISSION OF PROPOSALS

Proposals should be submitted in sealed packages labelled **NBFIRA EOI/003/2025-2026 EOI LEGAL PANEL.**

The Closing Date for submissions is **March 13, 2026 at 12:00 hours**

Submissions should be hand delivered to:

3rd Floor Exponential Building, Plot 54352 New CBD,
Off PG Matante Road, Gaborone
Botswana

6. EVALUATION CRITERIA

6.1. Proposals will be evaluated based on following criteria:

(a) Stage One: Administrative and Commercial Compliance

Bidders will be assessed eligibility under the following criteria:

The eligibility criteria for Tenderers are as follows:

	Description	Yes	No.
1.	Copy of valid Tax Clearance Certificate issued by Botswana Unified Revenue Services or exemption from tax. Alternatively, bidders can submit Certificate Number and Tax Identification Number (TIN) for verification online.		
2.	Provide proof of registration with the Public Procurement Regulatory and Authority for conducting such type of work under Code 318 – Legal Service and Sub-codes, 01 Legal services, 02 Conveyancing, 03 Notary Public.		
3.	Provide trust account audit reports for the past 3 years.		
4.	Provide valid CIPA Incorporation Certificate and company extract. (Registration will be verified online). The firm must be 100% citizen owned.		
5.	A list of partners of the law firm and their particulars. The firm must be 100% citizen owned or all partners must be Botswana citizens.		
6.	Valid practicing certificates of all key personnel.		
7.	Proof of valid membership of the Law Society of Botswana.		
8.	Copy of fidelity certificates.		
9.	A declaration that there is no conflict of interest and non – competitive behaviour with regard to the EOI in whatever form.		

10.	Submit Proof of a professional indemnity cover of P1,000,000.00 which NBFIRA reserves the right to increase based on the complexity of the matter.		
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Bidders who fail to submit the above-mentioned will be requested during the evaluation to submit them within 2-5days of notification. Bidders will be notified through a telephone call, sms, or email as an alert. The alert will be followed by fax or letter. Non-responsiveness by the bidder shall result in disqualification of bid.

(b) Stage Two: Technical Evaluation

Table 1 Technical Evaluation Criteria

Item No.	TECHNICAL SPECIFICATION OF ITEMS REQUIRED	MAXIMUM ATTAINABLE MARKS
1.	Demonstration of expertise and knowledge of the area(s) of specialisation that the firm is tendering for. Detailed response should: Clearly demonstrate in-depth knowledge of area of specialisation that the Bidder is tendering for, including demonstrated ability to respond to emergency requests, the firm philosophy and methodology. Any value add offered.	20
	In-depth knowledge in area of specialisation	5
	Ability to respond to emergencies	5
	Firm philosophy and methodology	5
	Copy of sample reports	5
2.	Firm profile showing number of years in practice, including names of Partners, Associates and their experience in practice.	15

	More than 15 years' experience in legal work	15
	10 to 15 years' experience in legal work	10
	5 to 10 years' experience in legal work	5
	0 to 4 years' experience in legal work	2
3.	Proof of availability of skilled personnel and their citizenship in the form of employee profiles, certificate academic certificates, certified identity cards and abridged curriculum vitae for all staff that will be directly involved in offering legal services to NBFIRA.	20
	Lead partner with a Law Degree plus 10years experience or more	8
	Senior Attorney with a Law Degree plus 8years experience or more	6
	Junior Attorney with a Law Degree plus 5years experience or more	3
	3 marks allocated for an increased number of team members	3
4.	At least three written references that the law firm has previously provided services to, from institutions or parastatals comparable to NBFIRA.	12
	1 reference	4
	2 references	8
	3 or more references	12
5.	Highlights of major civil litigations undertaken by the firm in the last five years. Provide at least three civil litigation judgments and summaries thereof, most recently handled by the firm, the nature of the litigation, and the outcome thereof.	20

	More than 4 successful litigation assignments	20
	3 successful litigation assignments	15
	2 successful litigation assignment(s)	10
	1 successful litigation assignment(s)	5
6.	Physical facilities: provide evidence of availability of office premises and physical address (copy of title deed or lease/tenancy agreement).	3
7.	Other company resources i.e., motor vehicles, level of computerisation, business continuity plan, quality assurance plan and procedure, describe the quality control procedure you use to supervise.	5
	Motor vehicles	1
	Computerisation	1
	Business continuity plan	1
	Quality assurance plan	1
	Supervision plan for pupil attorney	1
8.	Any other information (value add services) the firm would be in a position to offer to NBFIRA.	5
		100

NOTE: Bidders who achieved a minimum Technical Score of 70% will be eligible for and recommended for prequalification. The Authority reserves the right to decide in the number of service providers to be shortlisted and invited to tender.

Stage 3: Financial Evaluation

Law Firms are required to provide a detailed financial indicative pricing including:

6.2. The proposal must include the following information regarding the pricing in respect of the services:

- (a) Pricing proposal broken down according to each deliverable and/or task to be performed as part of the services;
- (b) The rate per hour of each professional providing the services, plus other expenses incurred during the provision of the services.

6.3. The pricing proposal must be a separate annexure and clearly marked as such.

6.4. Conveyancing fees shall be limited to the tariffs as stipulated in Deeds Registry (Conveyancers and Notaries Public) (Fees and Charges) Regulations (Chapter 33:02).

6.5. The pricing must be clearly indicated by using the following table:

Attorney's experience Rate per hour

Lead Partner(s): 10+ years post admission experience	P.....
Other Partner / Senior Attorney: minimum 5 years post admission experience	P.....
Junior Associate: 1-5 years post pupillage experience	P.....
Pupil Attorney: 0-1 year post admission experience	P.....
Other costs, i.e., disbursements	P.....

6.6. The firm may, in addition to providing the information on this table, offer an attractive rate per hour for each profession or a combined rate for purposes of rendering the services under this EOI.

Note: The financial evaluation is for indicative pricing ONLY and to be used by Authority in determining the budget and prevailing market conditions for the service required.

7. QUALIFICATION CRITERIA

7.1. The EOIs will be evaluated, and suitable firms will be selected for inclusion on the panel of legal service providers for a defined period.

7.2. NBFIRA reserves the right to engage foreign law firms on an ad-hoc basis for matters arising from, or with a subject matter involving foreign jurisdictions.

8. ELIMINATION CRITERIA

Law Firms will be eliminated from consideration under the following conditions:-

8.1. Submission after deadline;

8.2. Electronic submissions;

8.3. Failure to meet any and/or all of assessment requirements;

8.4. Bids that do not comply with the compliance requirements; and

8.5. If the quota of eight (8) set by NBFIRA is reached.;

9. VERIFICATION OF DOCUMENTS

Law firms must ensure that the document is complete before submission and satisfy themselves that no pages are missing or duplicated. Submission of additional pages after the due date, regardless of timely submission of the bidding document, will not be accepted.

10. DISCLAIMER

10.1. Submission of a proposal does not guarantee a position on the Legal Panel.

10.2. No law firm, including previously contracted firms, shall assume that any information and/or documents submitted to NBFIRA at any time prior to or outside of this request are relevant and/or will be used for purposes of this EOI.

10.3. Any law firm which has previously provided legal services to NBFIRA or served on the NBFIRA Legal Panel shall, if it wishes to continue to form part of the panel, submit a proposal in accordance with this EOI.

10.4. Any law firm with any clients that may pose a conflict of interest must disclose this conflict before assumption of instructions from the Authority on each matter.

10.5. NBFIRA reserves the right to:

- (a) accept or reject any or all the applications, revise, request for further information/clarity from one or all the applicants and to cancel or withdraw the process in whole or in part; and
- (b) cancel or withdraw the EOI and to notify applicants through public notice, and/or enter into other contracts for legal services derived from outside this process.

11. ENQUIRIES

All Queries relating to the EOI may be addressed in writing and emailed to procurement@nbfira.org.bw.