

TSHWANE RAPID TRANSIT (PTY) LTD IS SEEKING EXPRESSIONS OF INTEREST FOR THE PROVISION OF INDEPENDENT SERVICES

DURATION: TWELVE (12) MONTHS

LOCATION: CITY OF TSHWANE

AREAS OF EXPERTISE: BOARD SECRETARY, RISK & LEGAL COMPLIANCES SERVICES & ADMINISTRATION OF THE TRUST

PREFERENCE: LEVEL 1-3 BBBEE ENTERPRISE

SCOPE OF WORK:

- Guide Directors and Trustees on any laws affecting corporate governance
- Provide legal advice to the board of Directors, Trustees and executive management
- Prepare legal opinions on corporate governance issues
- Provide a key advisory role on the legal framework and implementation of the Bus Operating Company Agreement (BOCA)
- Responsible for liaising with stakeholders on fulfilment of contractual obligations of the company
- Report irregularities arising from failure to comply with the Memorandum of Incorporation or rules of the Company or Companies Act.
- Ensure company secretariat documentation is in place, recorded and filed properly.
- Compile, transcribe and distribute minutes of Board meetings.
- Certify in the Company's annual financial statements whether the company has filed required returns and notices in terms of Companies Act, and whether all such returns and notices appear to be true, correct and up to date.
- Ensure correct procedures for appointment of Directors and Trustees.
- Implement Directors' induction and ongoing training and development to empower them to fulfil their fiduciary duties.
- Provide a central source of guidance on corporate governance to the board and throughout the company.
- Prepare board agendas and packs for meetings.
- Make administrative arrangements for all board sub committees' meetings and compile records thereof.
- Follow up on implementation of board and sub committees' resolutions.
- Update board and Sub Committees charters.
- Assist the board Chairperson to formulate annual work plans.
- Facilitate the evaluation of board and subcommittee members.
- File and retrieve corporate documents, records and reports with assistance from an internal resource.
- Manage company information requests-Act as Information Officer for the company
- Produce regulatory compliance reports.
- Develop a regulatory compliance risk plan and perform compliance audits.
- Submit reports to the Chief Executive Officer, Chairpersons of the board of directors and trustees.
- Manage a service level agreement with external attorneys responsible for reviewing all contracts and assessing legal implications that need to be brought to the attention of executives (legal advisory & contract management).
- Update and maintain statutory and legal compliance documents.
- Update and maintain all registers.

- Review progress of outstanding litigation and liaise with and manage external attorneys.
- Draft and review agreements and internal policies to safeguard compliance with statutory and legal requirements.
- Train employees when required on relevant topics pertaining to governance, ethics and risk management.

Administration of the Deed of Trust

- management of meetings, including drafting agenda, minutes, follow up on matters arising and action items
- communication with stakeholders (e.g., contracting parties and project beneficiaries)
- financial management: management of invoicing and payments
- Submission of monthly/quarterly, annual reports and portfolio of evidence for work done by the trust.
- All matters pertaining to the administration of the trust
- Registration of the trust
- On boarding and induction of shareholders

Requirements

Preference shall be given to 100% black owned enterprises whose profiles are deemed to match the stipulated requirements.

Profiles must include details of previous/current experience of not less than five (years) in activities outlined under scope of work.

References and other forms of proof of experience, quality of work and reliability shall be required to attest to previous experience.

Credentials and integrity vetting shall be instituted on candidate(s) assigned by a successful enterprise.

If necessary, more than one entity shall be selected for the role.

No correspondence shall be permitted with any interested party about the selection process if it is not initiated by the contracting party. This is to ensure transparency and undue influence on the outcome.

Submissions can be made to brucem@tshwanetransit.net

Closing date: 7 October 2022

Any submissions after the closing date shall not be considered.