



## DANIEL HENDRIK DU PLESSIS

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### Academic Qualifications:

- Certificate Construction Adjudication (CE at UP) (NEC/FIDIC/GCC/JBCC)
- Certificate Construction Contract Law (CE at UP)
- MBA (North West University Business School)
- B Iuris (UP)

### Short courses

- NEC (also PSC & ECC) (Eskom, via Bowman Gilfillan)
- FIDIC (Eskom, via Bowman Gilfillan)
- ISO Quality Management: Systems & Principles (Eskom)
- Mediation / Arbitration (NWU)
- Supply Chain Operations (Eskom )
- Contracts Administration (Eskom)
- Civil mediation (Law Society of South Africa)(2018)(Court annexed mediator)
- Several short courses presented by the Law Society

### Experience and fields of work:

- Applicant is a highly focused individual who started his legal career as a State Prosecutor. Thereafter he has accumulated sound legal skills in the legal environment as a practicing attorney since 1976. He has a passion for living the rules of natural justice. This obviously goes hand in hand with a high level of respect for confidentiality and discretion. As an attorney, I proud myself to be highly ethical, trustworthy and objective with a high level of integrity and ethical



standards. I am a diplomatic person, good communicator, patient yet decisive, analytical and I am able to work under pressure.

- I have vast experience in dealing with all aspects of criminal law and civil law, deciding and research on the legal liability issue, compiling evidence and documents and handling same from inception through to a finding, outcome, settlement or rejection. As an attorney, I have appeared on behalf of accused in the Magisterial Lower and Regional courts, as well as the Municipal courts.
- The Applicant is also a skilled facilitator, court annexed - civil mediator and construction adjudicator. This allows me to judge and mediate issues and also adjudicate matters referred to me for mediation/adjudication and delivering of a reward/outcome. During my career as an attorney, I also acted as assessor with judges in the criminal Circuit High Court sittings at Vanderbijlpark and acted as Commissioner (Presiding Officer) in the Small Claims Court whereby the application of the RSA law and natural justice plays a vital key role.
- Applicant is a registered member of CAASA (Construction Adjudication Association of South Africa) and in good standing with, and member of, the Law Society of the Northern Provinces.(now Legal Practitioner's Council)

### **DP Attorneys (Key responsibilities)**

- Providing general legal advice to clients on a broad spectrum of issues
- Civil and criminal court work and - appearances and negotiations with prosecutors and legal court personnel
- Legal research, analyzing and applying case law and compiling and drafting of legal opinions
- Drafting and considering representations and processing of claims and render legal support regarding contracts, renewals, amendments, reviews, etc.
- Negotiation and vetting of a wide variety of commercial and other contracts and subcontracts.
- Involvement in dispute resolution



- Continuously review contract documents to ensure that company's contractual rights are protected and advise on same.
- Involvement in and attend to, oversee and manage litigation, arbitration, mediation, adjudication, arbitration and administrative processes
- Drafting and handling of notices, commercial and legal agreements, inclusive of LOI's, NDA's, MOU's, MOA's, and SLA's

**Eskom : Consultancy Contract (via Agency) -Senior Advisor: Procurement Quality Assurance (incl. Supply Chain Operations/Tender Committees/Commercial Documentation Alignment/ Contract Management, Contract drafting)**

**Key responsibilities and scope of engagement**

- Participated in the procurement meetings and provided inputs from a quality perspective
- Researched, identified, drafted, and ensured that critical legal and quality specifications/clauses are vetted in future procurement documents / contracts
- Assisted and ensured that appropriate quality assessment and evaluation criteria were developed in line with Eskom's requirements and procedures
- Ensured that the process is continually improved by gathering and applying previous lessons learnt, and best practices.
- Reviewed draft contracts to ensure that Quality requirements are well documented



- Evaluation, adjudication and review of tenders and verify award documents and contract of award for compliance on various projects, as part of specialist team
- Assisted in training of Eskom supervisors in all provinces in procurement and supply chain, contract management, procurement quality, commercial risk management and claims management

**BIE International Engineers (Legal Consultant - Key responsibilities:**

- Consulting for BIE International Engineers to ESKOM regarding, inter alia, evaluation of Eskom contracts with Suppliers and to ascertain whether appropriate quality clauses were embedded in contracts between Eskom and these Suppliers