"We are what we repeatedly do. Excellence, then, is not an act, but a habit." *Aristotle*

LEDWABA MAZWAI

ATTORNEYS

A Habit of Excellence

“The direction in which education starts a man will determine his future life.”

Plato

In the early nineties, as a result of the marginalisation and discriminatory practices that are part of our history, black lawyers in South Africa were confined to the areas of matrimonial law, criminal law and personal injury matters. Despite these challenges, two young law students shared an aspiration of creating a black-owned and operated commercial law firm – a pioneering firm that would provide an uncompromised standard of commercial legal services to compete with the established white law firms of the time.

The two young visionaries, Metja Ledwaba and Lungile Mazwai, were determined to establish what would become a dynamic law firm, in order to showcase the capabilities and excellence of black legal practitioners in areas of legal practice they were historically excluded from.

It was this ideal that saw the founding partners of Ledwaba Mazwai receiving their training in established law firms. This would give them a solid grounding in commercial law practice and in managing and providing legal services to government, institutional and corporate clients.

WHO WE ARE

Ledwaba Mazwai was established in 1996 in pursuit of the ideal to build a successful black commercial law firm. Today, our firm has become a symbol of pride, excellence and the capabilities of black legal practitioners as a collective.

Based in Nieuw Muckleneuk, Pretoria, we are a motivated and hardworking team of lawyers, administrative and support staff committed to working together and supporting one another in the execution of legal services. We are dedicated to the satisfaction and happiness of our clients.

WHAT WE DO

Ledwaba Mazwai focuses on rendering legal services to commercial and corporate institutions in commercial transactions and related work (including significant BEE acquisitions) and to Government in commercial, administrative, tax and constitutional areas of law, particularly in relation to projects initiated and procured by government and public sector bodies involving major private sector investment and involvement. We thrive on integrating technical, financial and economic development solutions with innovative legal solutions.

WHAT WE BELIEVE

We have worked hard to prove ourselves and to repeatedly conquer the odds. For this reason, excellence has become a habit in our daily work.

The value and treasure of humanity has never ceased to amaze us. The support that we got from the most unexpected quarters is invaluable. We are grateful to the people of South Africa and the world for the believe that was bestowed upon us even before we had that level of believe in ourselves.

ACHIEVEMENTS SINCE THE LAUNCH OF OUR FIRM IN 1996

We have developed an excellent track record in providing legal services to corporate, institutional, public sector and Government in the areas of law in which we practice;

We have developed a solid practice in general commercial law, commercial litigation, labour law, tax, administrative and constitutional law;

We have become one of the leading law firms in major infrastructure projects including those carried out as Public Private Partnership and Independent Power Producer projects;

We have developed templates for and advising in the B-BBEE, Local Content and Skills Development (Economic Development) in major infrastructure and other procurement programmes for Public Sector;

We have assisted in developing and taking to market of major projects for Government, in relation to restructuring of state-owned enterprises, Public Private Partnerships, Independent Power Producer projects and other infrastructure development projects. These include services provided to government departments locally and in the SADC region;

We have attained a good standing and reputation with professional service providers in other professional disciplines, with whom we worked on major projects, for our ability to successfully interface the finance, technical and legal matters through the project documents;

We have developed and secured technology as well as professional and support staff to more efficiently service our clients;

and provided empowering and dynamic general legal services to state-owned enterprises; and

We have become a symbol of pride and aspiration for black legal practitioners in the areas of our expertise.

The founding partners of Ledwaba Mazwai are still actively involved with the firm. Left to Right: Metja Ledwaba and Lungile Mazwai.

"It always seems impossible until it's done."

Nelson R Mandela

OUR AREAS OF EXPERTISE

- *Public Private Partnership (PPP)*
- *Independent Power Producers (IPPs)*
- *Restructuring*
- *Economic Development*
- *General Commercial & Corporate Law*
- *Mergers & Acquisitions*
- *Aviation Law*
- *General Litigation*
- *Regulatory Work*
- *Property Law & Conveyancing*
- *Constitutional & Administrative Law*
- *Competition Law*
- *Insurance*
- *Finance*
- *Mining & Mineral Law*
- *Tax Law*
- *Infrastructure Development*

PUBLIC PRIVATE PARTNERSHIP (PPP)

We are one of the leading law firms providing legal advice in relation to PPPs and infrastructure development related projects. To date, we have been involved in providing legal services in, among others, the following PPP projects:

- *Campus office accommodation project for the Department of Trade and Industry ("the dti");*
- *Gautrain Rapid Rail Link Project for the Gauteng Provincial Government;*
- *Accommodation PPP project for the Ministry of Works and Transport of the Government of the Republic of Botswana, for development of head office accommodation for the Ministry of Environment, Wildlife and Tourism and the Ministry of Lands;*
- *Accommodation project for the City of Tshwane, for development of office accommodation for City of Tshwane's service delivery environment;*
- *Advising the Legislature of the province of KwaZulu-Natal on the proposed establishment of a new legislature complex, and the provincial government of KwaZulu-Natal on the proposed establishment of a government precinct;*
- *Advising the private sector sponsor in the office accommodation project for the Southern African Development Community (SADC) in Gaborone, Botswana;*
- *Advising the national Department of Health and Gauteng Department of Health on the revitalisation of the Chris Hani Baragwanath Academic Hospital; and*
- *Advising the national Department of Health and Limpopo Department of Health on the establishment of a Limpopo Academic Hospital.*

CHRIS HANI BARAGWANATH HOSPITAL

INDEPENDENT POWER PRODUCERS (IPP)

Additionally, we provide legal advice to Department and Energy and National Treasury in relation to Independent Power Producer ("IPP") projects. To date we have been involved in providing legal services in, among others, the following IPP projects:

Advising the Department of Energy on the procurement and negotiation financial close on two of the peak power generation facilities at Avon (669,928 MW) and Dedisa (334,601 MW), which were procured as IPP projects;

Advising the Department of Energy and National Treasury on the current roll out of the renewable energy projects on an IPP basis; and

Advising on the Department of Energy and National Treasury on the base load new generation capacity programme.

RESTRUCTURING

We consider ourselves a leading law firm in the restructuring of state-owned enterprises. We have been involved in restructuring of State Owned Entities since 1997. To date, Ledwaba Mazwai has been involved in the privatisation/restructuring of industries covering the hospitality, forestry, aviation and asset management.

ECONOMIC DEVELOPMENT

We consider ourselves, with the greatest of pride, the pioneers in structuring and advising on Economic Development achievements for Government and public sector institutions. Very early from the time of our involvement in work involving Government/public sector procurement projects, we became interested in the involvement of historically disadvantaged people in the projects and the advancement of the government's empowerment initiatives. This is of course is a natural consequence, given who we are and where we come from. Our involvement in this regard has led to us developing the templates for structuring empowerment initiatives which culminated in a market accepted B-BBEE template. After the introduction of the dti's B-BBEE Codes, we developed our templates to encompass the B-BBEE elements (as informed by the B-BBEE Codes) together with skills development and local content. This we later coined "Economic Development", a term that can today be found in a number of Government infrastructure development initiatives.

We have successfully advised on the structuring of Economic Development in procurement initiatives, negotiating and have them as part of the contractual commitments of private sector parties participating in government procurement initiatives. We are proud of our intervention in developing the advancement of B-BBEE initiatives in government procurement initiatives contributing to empowerment of the historically disadvantaged.

GENERAL COMMERCIAL AND CORPORATE LAW

Our commercial and corporate practice department is currently the biggest practice within the firm, providing regular services to commercial, corporate, Government and public sector institutions. The service provided by this department largely comprises the drafting, commenting on and negotiation of various types of agreements, advice on the structuring of commercial and restructuring transactions, formation and registration of companies and trusts, corporate governance related issues as well as conducts company and trademark searches.

Our commercial department currently provides such services to a wide spectrum of clients in both private and public sector.

MERGERS AND ACQUISITIONS

Our commercial department has extensive experience in advising on transactions involving the sale and acquisitions of business and shares (whether all the shares in issue or some of the shares in issue) and advising prospective sellers and prospective purchasers in such transactions. The nature of the advisory work includes the undertaking of legal due diligence investigations and reporting thereon, preparing data room for prospective buyers, assisting with procurement process for parties tendering to buy the business or the shares, preparing the sale agreements and ancillary agreements for the relevant transaction and negotiating such agreements.

We have advised prospective purchasers of businesses in various sectors such as mining, publishing, advertising, health, pharmaceutical, IT and construction.

AVIATION LAW

Ledwaba Mazwai has provided legal services, jointly with other local and international law firms to South African Airways SOC Limited ("SAA") in its acquisition of a new fleet of Airbus aircraft, which entailed, advising on, and negotiating the structuring of the acquisition of aircraft for SAA and related agreements (including the financing aspects). Through our involvement in this transaction we have gained the relevant exposure, expertise and experience related to aircraft purchase and financing, and the related aviation law issues.

We are familiar with the International Civil Aviation Organization ("ICAO"), its objectives and vision, such as to enhance global civil aviation safety, to enhance civil aviation security, to minimize the effects of global civil aviation on the environment to enhance efficiency of aviation operators and to strengthen law governing international civil aviation. We are also aware of the South African Civil Aviation Authority ("SACAA") and its rules and regulations.

Our firm has also acted as an advisor to the Airports Company South Africa SOC Limited ("ACSA"), in the development of the Dube TradePort Project, which entailed the establishment of a multi-modal Dube TradePort export platform comprising of an international passenger and freight airport; a trade zone (including a cargo terminal being a commercial development orientated to attract freight users, value added logistics activities, and to grow cargo volumes and related activities) and an agri zone and its platform; and an associated support zone being a property development, intended to support the broader objectives of the Dube TradePort. Our involvement in the Dube Trade Port included drafting of transaction agreements, assisting with procurement process and review of financing arrangements.

We have also advised ACSA on land and other regulatory matters relating the development of a masterplan for the expansion of the OR Tambo International Airport.

GENERAL LITIGATION

Following on the commercial department, our litigation department is the second biggest department in the firm. We are involved in litigation on commercial agreements, administrative and constitutional law related matters, pensions and medical aid related matters, motor vehicle accidents and general civil claims. We are selective on the type of matters that are handled through this department – we focus on providing services to corporate and institutional clients, with the ultimate aim of developing highly specialised skills on the part of our professional staff.

We provide legal services through this department to state-owned enterprises, government departments and various private sector clients.

We have gained experience and orientation with regard to the general workings and legal liability of matters related to labour and human resources issues. This is an area in which we have extensive expertise to offer. We also regularly:

provide legal opinions and advice on labour law issues, regulatory and legislative environment;

assist clients with the preparation of notice of disciplinary enquiries and charges to be preferred;

assist clients with prosecuting charges brought against employees;

provide assistance with chairing disciplinary enquiries;

assist clients with representations in arbitrations before the Commission for Conciliation, Mediation and Arbitration ("CCMA"), and all proceedings before the Labour Court; and

on request, we provide workshops/training for employees on labour and employment law issues.

REGULATORY WORK

We regularly provide legal assistance to clients on various types of regulatory work. These include:

assisting with development and drafting of legislation and regulations for specific sector groups, such as energy, sports and transport legislation;

reviewing and advising on the impact of legislation on projects intended to be implemented by government including the need for change in legislation;

advising township establishment tribunals with adjudication of township establishment applications that are brought before the tribunal;

assisting local municipalities with regard to enforcing compliance with zoning requirements, on the part of residents and business communities;

assisting municipalities and other private sector clients with regard to the regulatory issues pertaining to township establishment, municipal law issues in relation property developments and appearance at hearings before the Townships Board;

advising interested parties on regulations that are being developed by competent authorities where such regulations affect their business activities. Our involvement has entailed the review of draft legislation and regulations, preparing comments thereon for submission to the relevant authority and making presentations at the relevant authority (including Parliament) on draft legislation and regulations focusing on the impact of the client and the industry as a whole;

assisting competent authorities with regard to enforcement of their regulations against transgressors;

reviewing and advising departments and public entities on the application and impact of the Public Finance Management Act, 1 of 1999 ("PFMA") including Treasury Regulations, and conducting workshops thereon; and

advising, on competitive bidding processes, and reviewing regulatory framework for various restructuring transactions and other projects that we are involved in; and

generally providing advice and opinions on compliance with other regulatory and license requirements, to both public and private sector clients.

PROPERTY LAW / CONVEYANCING

We are in the process of developing our property department, to be focused on commercial property and other development projects. To date our firm has been involved in housing development projects and registration servitudes for state-owned companies.

In addition to the involvement in township establishment issues, our property department is currently involved in the registration of transfer of title in immovable property and of mortgage bonds.

CONSTITUTIONAL AND ADMINISTRATIVE LAW

Apart from our involvement in litigation in the areas of constitutional and administrative law, we also provide regular advice to clients on matters related to constitutional and administrative law particularly in relation to restructuring transactions and procurement in major projects. Our firm has provided, and continues to provide regular advice to a number of state-owned enterprises and Government departments in matters of constitutional and administrative law nature.

COMPETITION LAW

We have had involvement in competition law matters, relating to the referral of complaints for vertical and horizontal restrictive practices with regard to managing contractual risks, and filing of various merger notifications in terms of the Competition Act. We occasionally advise on competition law issues on commercial transactions which merit consideration of competition issues, or which would be notifiable for merger purposes.

INSURANCE

In our various practice areas, we are regularly involved in insurance-related law and transactions, which include litigation over insurance claims and disputes. Jointly with specialist insurance advisers, we advise on insurance cover aspects and role in transactions that we are involved in with regard to managing project and contractual risks.

FINANCE

We have had meaningful exposure in transactions involving financial structuring. These include project finance, structured finance and corporate finance. This exposure is derived largely from the PPP and IPP projects;

major acquisition transactions such as the Airbus aircraft fleet acquisition by South African Airways SOC Limited;

other infrastructure projects, such as the establishment of an aluminium smelter at Coega Industrial Development Zone on a project finance basis, and other projects that we become involved in from time to time.

We have also had the opportunity to advise a number of our clients, including the Industrial Development Corporation SOC Limited ("IDC") and Public Investment Corporation SOC Limited ("PIC") on various lending transactions, where we were acting for the lender. We enjoy this aspect of commercial law and would welcome any opportunity to be involved in transactions involving financial structuring.

MINING AND MINERAL LAW

The primary experience we have had in mining and mineral law has been in relation to:

the review and negotiation of coal mining related agreements,

advising an empowerment consortium in acquiring equity in a mining company, and

on-going legal services and advice to private sector clients in respect of various mineral and mining transactions. We would welcome any opportunity to provide further legal services and grow in this area of law.

TAX LAW

The principal exposure we have had to tax law has been in:

multi-disciplinary advisory teams where financial and tax consultants would propose one or more tax structures on which we would express a view on their soundness, and prepare or review the agreements delivering the preferred structure;

tax policy to change the taxation regime for PPPs;

acting for the South African Revenue Service (SARS) on various tax matters, investigations relating to tax evasion schemes and enquiries in terms of the Tax Administration Act, 2011.

We would welcome any opportunity to provide legal services in this area of law and expand our current involvement.

Through our involvement in PPP and IPP transactions, our firm has become exposed to infrastructure development work. The major ones, being the:

Gautrain Rapid Rail Link Project ("Gautrain"),

The accommodation project for the Department of Trade and Industry;

Blue IQ Supplier Park project

The Coega aluminium smelter project; and

More recently the new energy generation capacity through the IPP programmes.

In addition, Ledwaba Mazwai has been involved in advising in the implementation of the major infrastructure projects after the agreements have been concluded including in relation to dispute resolutions involving major and complex arbitrations. We are confident that we can provide good legal services related to infrastructure development projects and disputes bearing on our experience in establishing, procurement, negotiations, implementation and dispute resolutions involving major infrastructure projects.

Public Private Partnership (PPP) and Independent Power Producers (IPP)

General Commercial and Corporate Law

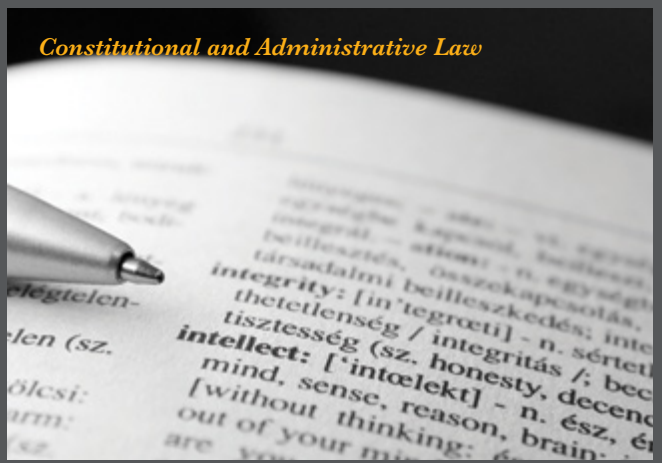
Mergers and Acquisitions

Restructuring and Economic Development

Finance

Infrastructure Development

Aviation Law



Constitutional and Administrative Law

Property Law and Conveyancing

General Litigation and Regulatory Work

Tax Law / Competition Law

Mining and Mineral Law

Insurance

In the pursuit of excellence, Ledwaba Mazwai remains committed to being a dynamic law firm, providing services of consistent high professional standards without compromising on the quality of our work and commitment to our clients. Our major projects continuously demonstrate this commitment.

"In the arena of human life the honours and rewards fall to those who shows their good qualities".

Aristotle

Our Public Private Partnership projects are largely infrastructure development based, involving the design, construction and operation of a public sector facility or service by private sector party, with improved experience and efficiencies, value for money and appropriate risk transfer.

Public Private Partnership (PPP) Projects

Project name and description	Scope of Services	Duration	Location
dti Accommodation Project	Advising the dti on procurement of a private sector PPP partner (RFQ, RFP, Treasury Approvals), administrative law issues, drafting and negotiating the PPP (concession) agreement, and ancillary agreements, including lease agreement. Reviewing and advising on the sub-contracting agreements in relation to the Concessionaire parties and obligations.	*May 2001 – July 2003*	*Pretoria, Gauteng Province*
Gautrain Rapid Rail Link Project	Advising the Gauteng Provincial Government as part of the Transaction Advisor team, on legislative regime, administrative law, land acquisition, feasibility study, treasury approvals, procurement documentation, preparing and negotiating the PPP (Concession) Agreement, assisting with the implementation of the Concession Agreement and dispute resolution processes including arbitrations.	*Commercial and Financial 2001 – September 2006 & January 2007* *Service commencement – 2010*	*Johannesburg, Gauteng Province*
Gauteng Provincial Government Precinct Accommodation Project	General advisory service to Gauteng Provincial Government on property (land) acquisition and financing thereof, feasibility study, treasury approvals, and procurement documentation.	*February 2002 – Project terminated as a PPP in 2007*	*Johannesburg, Gauteng Province*
Presidential Job Summit Pilot Project On Housing	General advisory service to the National Housing Finance Corporation on the structuring and implementation of a social housing project on a PPP/ project financing basis.	*Project was discontinued after feasibility phase*	*South Africa*
Department of Correctional Services Correctional Centres Project	General legal advisory role on the DCS Correctional Centres project, which entails the review of the existing PPP Projects for the DCS, with the view to restructure them, and the establishment of new correctional centres on a PPP basis, run by private sector.	*March 2004 – Project was put on hold after receipt of RFP responses*	*South Africa*
Slate Mining CPPP	General advisory services to DBSA in evaluating a possible project for the establishment of a community slate mine and acquisition of land.	*2003*	*Dinokana, Zeerust, North West Province*
Accommodation Project for Ministry of Works and Transport, Botswana	Advising the government of Botswana on procurement of a private sector PPP partner (RFQ and RFP), administrative law issues, drafting and negotiating the PPP (concession) agreement, and ancillary agreements, for provision of accommodation facilities.	*Jan 2005 – Project was discontinued by client after appointment of preferred bidder*	*Gaborone, Botswana*

Public Private Partnership (PPP) Projects

Project name and description	Scope of Services	Duration	Location
Accommodation Project for the City of Tshwane	Advising the City of Tshwane on procurement of a private sector PPP partner (RFQ, RFP, Treasury Approvals), administrative law issues, drafting and negotiating the PPP (concession) agreement and ancillary agreements, for development of an accommodation precinct and provision of services for the City of Tshwane. Reviewing and advising on the sub-contracting agreements in relation to the Concessionaire parties and obligations.	*March 2005 – Financial Close planned for 2014*	*Tshwane (Pretoria), Gauteng Province*
Free State PPP Schools Project	Advising the Free State Provincial Government on procurement of a private sector PPP partner (RFQ, RFP, Treasury Approvals), administrative law issues, and upon issuance of the relevant Treasury Approvals, drafting and negotiating the PPP (concession) agreement, and ancillary agreements, including lease agreement. Reviewing and advising on the sub-contracting agreements and financing agreements in relation to the Concessionaire parties and obligations.	*January 2006 – Project was discontinued after feasibility stage*	*Bloemfontein, Free State Province*
Accommodation Project for the South Africa Development Community (SADC)	Advising the preferred bidder as the private sector PPP partner sought by SADC to undertake, on a limited recourse project finance basis, the design, construction, operation and maintenance of head office accommodation in Gaborone, Botswana. Advice relates to the negotiation and conclusion of the PPP Agreement, its schedules, the construction and operations subcontracts, shareholder and equity agreements, and negotiating the financing agreements and security documents.	*Commercial July 2006 – August 2007* *Financial close July 2006 – Oct 2007*	*Gaborone, Botswana*
Department of Education e-Education Project	Advising the Department of Education on the implementation of e-education, entailing the procurement of infrastructure, network connectivity, professional development, curriculum integration, research and human resource systems, in all South African schools and 50 FET Colleges.	*April 2007 – Project was discontinued after feasibility stage*	*Pretoria, Gauteng Province*
KwaZulu-Natal Provincial Government Precinct Accommodation and Legislature Complex Project	Advising the KwaZulu-Natal Provincial Government on the procurement of a private sector PPP partner (RFQ, RFP and Treasury Approvals), administrative law issues, drafting and negotiating the PPP agreement, and ancillary agreements, for development of an accommodation precinct and legislature complex for the KwaZulu-Natal Provincial Government and Legislature. Reviewing and advising on the sub-contracting agreements in relation to the private party principle contractors and obligations.	*May 2007 – Project was discontinued after feasibility stage*	*Pietermaritzburg, KZN Province*

Public Private Partnership (PPP) Projects

Project name and description	Scope of Services	Duration	Location
Department of Foreign Affairs	Advising National Treasury with regards to matters related to issuance of TAIII Approval to the Department of Foreign Affairs having reviewed the submitted documentation by the Department of Foreign Affairs in support of its application for TAIII Approval	*October 2007 – Closed*	*Pretoria, Gauteng Province*
Statistics SA	Advising the Department of Statistics on the procurement of a private sector PPP partner (RFQ and RFP), administrative law issues, obtaining requisite treasury approvals, assisting in developing an evaluation framework, advice on the evaluation of proposals, leading to the drafting and negotiating the PPP (concession) Agreement, and ancillary agreements, for provision of accommodation facilities Advising on structuring the Economic Development objectives for the project and structuring the procurement and contractual commitments relating to Economic Development objectives	*January 2010 – Financial close April 2014*	*Pretoria, Gauteng Province*
National and Gauteng Departments of Health	Advising the National and Gauteng Departments of Health on its procurement of a private sector party to design, construct, finance, operate and maintain the physical structure of a new tertiary hospital at Chris Hani Baragwanath Academic Hospital in Soweto, Johannesburg on PPP basis Advising on structuring the Economic Development objectives for the project and structuring the procurement and contractual commitments relating to Economic Development objectives	*August 2010 – Project is on-going*	*Johannesburg, Gauteng Province*
National and Limpopo Departments of Health	Advising the National and Limpopo Departments of Health on its procurement of a private sector party to design, construct, finance, operate and maintain the physical structure of a new tertiary hospital at Polokwane	*December 2010 – Project is on-going*	*Polokwane, Limpopo Province*

As part of our involvement with pioneering initiatives, we have been involved in advising on the procurement of independent power producers to produce and supply energy to the national grid. This includes the mix between renewable and non-renewable energy. The projects entailed procuring and negotiating with the independent power producers for the design, construction, operation and sale of energy from their power station to Eskom.

Independent Power Producer (IPP) Projects

Project name and description	Scope of Services	Duration	Location
Avon Peaking IPP	Advising Department of Energy ("DoE") and National Treasury on the negotiations for the Power Purchase Agreement between Eskom and the IPP, Implementation Agreement between the DoE and the IPP, and other related transaction agreements including the Finance Direct Agreements and Government Support arrangements etc Advising on structuring the Economic Development objectives for the project and structuring the procurement and contractual commitments relating to Economic Development objectives	*November 2007 – Financial and Commercial Close August 2013*	*Avon, KwaZulu-Natal Province*
Coega Peaking Power IPP	Advising Department of Energy ("DoE") and National Treasury on the negotiations for the Power Purchase Agreement between Eskom and the IPP, Implementation Agreement between the DoE and the IPP, and other related transaction agreements including the Finance Direct Agreements and Government Support arrangements etc Advising on structuring the Economic Development objectives for the project and structuring the procurement and contractual commitments relating to Economic Development objectives	*November 2007 – Commercial and Financial Close August 2013*	*Johannesburg, Gauteng Province*
Renewable Energy IPP Programme	Advising the DoE and National Treasury on matters relating to • the structuring, regulatory, procurement, drafting and conclusion of the transaction agreements relating to the IPP renewable energy through various bid windows ("BW"); and • Advising on structuring the Economic Development objectives for the project and structuring the procurement and contractual commitments relating to Economic Development objectives	*December 2009 –* *BW 1 – Commercial and Financial Close (28 Projects) – November 2012* *BW 2 Commercial and Financial Close (18 Projects) – May 2013* *BW 3 – Preferred Bidder Evaluation – September 2013, scheduled for Financial Close of all the BW 3 Projects in 2014* *BW 3.5 – Preferred Bidder Evaluation stage - Financial Close of all the BW 3.5 Projects in 2014*	*BW 1 – Northern Cape, Eastern Cape, Western Cape, Free State, North-West, and Limpopo Provinces* *BW 2 – Northern Cape, Eastern Cape, Western Cape and Free State Provinces* *BW 3 – Northern Cape, Eastern Cape, Western Cape, Limpopo, Free State, KwaZulu-Natal, and Gauteng Provinces* *Subject to decision on Preferred Bidders*

The various rail projects that we have been involved in are a mix between ground breaking rail initiatives involving the design, construction and operation of new railway network, and the renovation/modernisation of existing railway facilities and equipments, and the procurement and financing of new rolling stock and locomotives.

Andre Klopper / Shutterstock.com

Significant rail projects

Project name and description	Scope of Services	Duration	Location
Gautrain Rapid Rail Link Project	Advising the Gauteng Provincial Government as part of the Transaction Advisor team, on legislative regime, administrative law, land acquisition, feasibility study, treasury approvals, procurement documentation, preparing and negotiating the PPP (Concession) Agreement, assisting with the implementation of the Concession Agreement and dispute resolution processes including arbitrations	*Commercial and Financial 2001 – September 2006 & January 2007* *Service commencement – 2010*	*Johannesburg, Gauteng Province*
Spoornet Main Line Locomotive Investment Programme	Advising Transnet Rail Freight (at the time Spoornet) on negotiations with a preferred bidder on the procurement of new single mode DC and/or AC locomotives with DC or AC traction motors locomotives for the COALLink K and Iron Ore lines, which advice included the drafting and negotiations of the transaction agreements for the design and supply of 110 new class 19E locomotives for the COALLink K line	*July 2004 – December 2005*	*South Africa*
Branch Line Concessions	Advising Transnet SOC Limited, in its TFR operating division, on its proposed branch lines concession programme, including undertaking a contractual and property due diligence investigation, procurement phase (preparing RFP documentation therefor), and the contractual phase (preparing the concession agreement, and reviewing ancillary agreements)	*May 2010 – Project is on-going*	*South Africa*
Rolling Stock Leasing	Advising the Industrial Development Corporation (IDC) on its equity funding and role in the establishment of a rolling stock leasing company (TRSL) and debt funding of such rolling stock leasing company	*June 2011 – December 2011*	*South Africa*
Passenger Rail Agency of South Africa ("PRASA") Rolling Stock Fleet Renewal Procurement Programme	Advising PRASA on their procurement of new rolling stock over a ten year period and maintenance thereof. Ledwaba Mazwai advice was focused on structuring the B-BBEE and localisation ("Economic Development") initiatives and contractual commitments	*January 2012 – October 2013 Commercial Close and April 2014 Financial Close*	*Pretoria, Gauteng Province*
Passenger Rail Agency of South Africa ("PRASA") – Depot Modernisation and Renovations	Advising PRASA on their depot Modernisation Programme, which advise entailed advising on the procurement and transaction agreements for the (i) renovation and upgrade of the PRASA depots and (ii) supply and installation of special equipment including the advice on structuring and implementing the Economic Development objectives of PRASA	*January 2012 – Project is on-going*	*Gauteng, KwaZulu-Natal and Western Cape*

Involvement in significant projects has been at the core of Ledwaba Mazwai's existence. We have been involved in a wide variety of significant projects involving, amongst other things, restructuring of state owned entities, acquisition of major capital assets through structured finance and assisting with structuring government support for new infrastructure.

Other significant projects

Project name and description	Scope of Services	Duration	Location
Supplier Park Automotive Cluster	General Advisory services to Blue IQ on property (land) acquisition and establishment of the Automotive Supplier Park, drafting and negotiating commercial agreements (share sale and shareholders agreements).	*2003 - On-going*	*Pretoria, Gauteng Province*
SAA Fleet Acquisition	Advising SAA, on its acquisition of 41 long and short haul Airbus aircraft, and related structured financing for the transaction.	*2003 – 2005*	*Johannesburg, Gauteng Province*
COEGA PAS 2005 Aluminium Smelter Project	Acted as legal counsel for Eskom and IDC, as equity sponsors in the project, which involves the construction and operation of a new aluminium smelter plant in COEGA by a French company in with IDC and ESKOM taking sponsor equity in it.	*April 2003 – Project ended by client*	*COEGA, Port Elizabeth, Eastern Cape Province*
State Forestry Restructuring	Advising SAFCOL and the Department of Water Affairs and Forestry on the re-composition of state forestry interests into business packages, creating corporate legal entities for such business packages, drafting and negotiating agreements for the sale to private sector strategic equity investor.	*Project was discontinued after feasibility phase*	*South Africa*
Botswana Plot 21 Project	Advising the government of Botswana on a land development project for accommodation facilities for a government department.	*January 2005 – February 2007*	*Gaborone, Botswana*
2010 FIFA World Cup	Advising government on the preparation of the Stadia for the 2010 FIFA World Cup.	*January 2005 – February 2007*	*Pretoria, Gauteng Province*
Technical Committee of the Local Organising Committee	Advising the LOC technical committee on its terms of engagement by the LOC.	*July 2006 – August 2006*	*Johannesburg, Gauteng Province*
Project Lego	Advising the two BEE partners on their acquisition of a stake in Lafarge Mining and Lafarge Industries as a consequence of the Lafarge South Africa Group Holdings empowerment transaction.	*March 2006 – February 2007*	*Johannesburg, Gauteng Province*
Department of Public Enterprises Promotion of Access to Information Project	Advising the Department of Public Enterprises on the impact and requirements of the Promotion of Access to Information Act.	*July 2007 – October 2007*	*Pretoria, Gauteng Province*
Airports Company South Africa Masterplan Project	Providing legal services to Airports Company South Africa on its Masterplan, entailing the expansion of O.R. Tambo International Airport.	*2007*	*Ekurhuleni, Gauteng Province*

LEDWABA MAZWAI
ATTORNEYS

"The greatest virtues are those which are most useful to another person"

Aristotle

Make the choice of excellence, contact us at:

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