


All information provided will be considered valid until such time that new or revised information is provided to the PPSA.

## SUPPLIER REGISTRATION FORM

<b>FROM: SUPPLY CHAIN MANAGEMENT</b>	 PUBLIC PROTECTOR SOUTH AFRICA
<b>TO: SUPPLIERS</b>	
<b>RE: DATA-BASE SUPPLIER REGISTRATION FORMS</b>	

The Office of the Public Protector is in the process of reviewing its supplier's data-base.

In order to register, it is imperative that you complete the attached **forms in full**, sign and return by post or hand delivered to the organisation as soon as possible. **Please also attach original valid Tax (SARS) Clearance Certificate, company profile including your close co-operation certificate.**

Please **do not** fax or submit us a letter of your **company notice of registration from SARS.** **The EFT Payment Instruction Form will not be accepted without a bank stamp.** Incomplete returns will result in non-registration into the Public Protector South Africa's data base.

Please note: The Public Protector South Africa reserves the right not to register a supplier if any misconduct is suspected or any information omitted.

**Contact Details:** Procurement  
**Telephone Number:** 012 366 7014/ 7008  
**Facsimile Number:** 012 366 7157  
**E-mail Address:** [Jeanettec@pprotect.org](mailto:Jeanettec@pprotect.org) or [Charmainem@pprotect.org](mailto:Charmainem@pprotect.org)  
**Postal Address:** P O Box 677, Pretoria, 0001  
**Physical Address:** No 174, Lunnon road, Hillcrest, 0083

All interested parties may be subjected to vetting. In order to determine compliance with (equity, ownership, infrastructure, capacity, financial credibility etc.) and suppliers that do not comply will be disqualified.

\* Supplier vetted      Signature \_\_\_\_\_      Date: \_\_\_\_\_  
 \* Supplier registered      Signature \_\_\_\_\_      Date: \_\_\_\_\_

**Vendor number**.....

# 1 SUPPLIER DETAILS

Details:													
Company Name:													
Trading name													
Registration Number:					/							/	
VAT Number:													
TAX Number													
Telephone Number:													
Facsimile Number:													
Postal Address:													
Physical Address:													
Website Address:													

Form of enterprise (Please tick (✓) one)			
<input type="checkbox"/>	Sole proprietor	<input type="checkbox"/>	Joint Venture
<input type="checkbox"/>	Partnership	<input type="checkbox"/>	Consortium
<input type="checkbox"/>	Closed corporation (cc)	<input type="checkbox"/>	Trust
<input type="checkbox"/>	Private company (Pty) Ltd	<input type="checkbox"/>	Government / Parastatal
<input type="checkbox"/>	Public company (Ltd)	<input type="checkbox"/>	Section 21 Company

Banking Details:	
Bank Name:	
Branch Name:	
Branch Code:	
Account Type:	
Account Number:	
Bank stamp:	

**Please ensure that this form is stamped at the bank. A cancelled cheque is also acceptable. Company Profile must form part of the Data Base Registration Form**

## 2 CONTACT INFORMATION

Main Contact:														
Name:														
Surname:														
Position:														
Telephone Number:														
Facsimile Number:														
Cellular Number:														
E-mail Address:														

2 <sup>nd</sup> Contact:														
Name:														
Surname:														
Position:														
Telephone Number:														
Facsimile Number:														
Cellular Number:														
E-mail Address:														

3 <sup>rd</sup> Contact:														
Name:														
Surname:														
Position:														
Telephone Number:														
Facsimile Number:														
Cellular Number:														
E-mail Address:														

4 <sup>th</sup> Contact:														
Name:														
Surname:														
Position:														
Telephone Number:														
Facsimile Number:														
Cellular Number:														
E-mail Address:														

**Additional information must be reflected in the company profile**

### 3 DISTRIBUTION FORM

<i>Please tick (✓) the box next to the cluster(s) your enterprise is able to supply to:</i>					
<input type="checkbox"/>	0001	Pretoria	<input type="checkbox"/>	0009	Kuruman
<input type="checkbox"/>	0002	Mabopane	<input type="checkbox"/>	0010	Rustenburg
<input type="checkbox"/>	0003	Johannesburg	<input type="checkbox"/>	0011	Free State
<input type="checkbox"/>	0004	Limpopo	<input type="checkbox"/>	0012	Western Cape
<input type="checkbox"/>	0005	Mpumalanga	<input type="checkbox"/>	0013	Northern Cape
<input type="checkbox"/>	0006	Siyabuswa	<input type="checkbox"/>	0014	George
<input type="checkbox"/>	0007	North West	<input type="checkbox"/>	0015	Eastern Cape
<input type="checkbox"/>	0008	Kwazulu Natal	<input type="checkbox"/>	0016	Bisho

### 4 PREFERENCE POINT CLAIMS

#### 4.1 GENERAL DEFINITIONS

“**Comparative price**” means the price after the factors of a non-firm price and all unconditional discounts that can be utilised have been taken into consideration.

“**Consortium or joint venture**” means an association of persons for the purpose of combining their expertise, property, capital, efforts, skills and knowledge in an activity for the execution of a contract.

“**Contract**” means the agreement that results from the acceptance of a bid by an organ of state.

“**Specific contract participation goals**” means the verification level stipulated in the Broad Based Black Economic Empowerment verification certificate.

In addition to above-mentioned goals, the Regulations [12.(1)] also make provision for organs of state to give particular consideration to procuring locally manufactured products.

“**Control**” means the possession and exercise of legal authority and power to manage the assets, goodwill and daily operations of a business and the active and continuous exercise of appropriate managerial authority and power in determining the policies and directing the operations of the business.

“**Equity Ownership**” means the percentage ownership and control, exercised by individuals within an enterprise.

“**Black Individual**” means a South African citizen who, due to the apartheid policy that had been in place, had no franchise in national elections prior to the introduction of the Constitution of the Republic of South Africa, 1983 (Act No 110 of 1983) or the Constitution of the Republic of South Africa, 1993, (Act No 200 of 1993) (“the interim Constitution) provided that a person who obtained South African citizenship on or after the coming to effect of the Interim Constitution, is deemed not to be a black individual;

“**Management**” means an activity inclusive of control and performed on a daily basis, by any person who is a principal executive officer of the company, by whatever name that person may be designated, and whether or not that person is a director.

“**Owned**” means having all the customary elements of ownership, including the right of decision-making and sharing all the risks and profits commensurate with the degree of ownership interests as demonstrated by an examination of the substance, rather than the form of ownership arrangements.

“**Person**” includes reference to a juristic person.

“**Rand value**” means the total estimated value of a contract in Rand denomination that is calculated at the time of bid invitations and includes all applicable taxes and excise duties.

“**Small, Medium and Micro Enterprises (SMME’s)** bears the same meaning assigned to this expression in the National Small Business Act, 1996 (No 102 of 1996).

“**Sub-contracting**” means the primary contractor’s assigning or leasing or making out work to, or employing another person to support such primary contractor in the execution of part of a project in terms of the contract.

“**Trust**” means the arrangement through which the property of one person is made over or bequeathed to a trustee to administer such property for the benefit of another person.

“**Trustee**” means any person, including the founder of a trust, to whom property is bequeathed in order for such property to be administered for the benefit of another person.

A “**black enterprise**” is one that is 50,1% owned by black persons and where there is substantial management control. Ownership refers to economic interest while management refers to the membership of any board or similar governing body of the enterprise.

A “**black empowered enterprise**” is one that is at least 25,1% owned by black persons and where there is substantial management control. Ownership refers to economic interests. Management refers to executive directors. This is whether the black enterprise has control or not.

The “**goal**” enables the scorecard to reflect progress made against the specific BEE targets that the enterprises and sectors have established.

“**Economic interests**” means the ownership of enterprises and assets through shares and other instruments that provide the holder thereof with voting rights and economic benefits, such as dividends or interest payments.

#### **4.2 Establishment of black individual equity ownership in an enterprise**

Equity ownership shall be equated to the percentage of an enterprise which is owned by individuals classified as black individuals, or in the case of a company, the percentage shares that are owned by individuals classified as black individuals, who are actively involved in the management and daily business operations of the enterprise and exercise control over the enterprise, commensurate with their degree of ownership.

Where individuals are not actively involved in the management and daily business operations and do not exercise control over the enterprise commensurate with their degree of ownership, equity ownership may not be claimed.

#### **4.3 Adjudication using a point system**

The bid obtaining the highest number of points will be awarded the contract.

Preference points shall be calculated after prices have been brought to a comparative basis.

Points scored will be rounded off to 2 decimal places.

In the event of equal points scored, the bid will be awarded to the bidder scoring the highest number of points for specified goals.

#### **4.4 Points awarded for specific goals**

A maximum of 20 points is allocated as per the Broad Based Black Economic Empowerment verification certificate

Listed companies and tertiary institutions do not qualify for black individual preference points.

## 5 SUPPLIER CATALOGUE FORM

Please clearly state what products/product ranges or services you are able to supply. For example: Advertising, computer software, public transport, stationery communication equipment, day-to-day maintenance, storage, shelving, furniture, gifts, printing, kitchen appliances, uniforms, apparatus etc.

**NB: (Please mark items that you supply or services that you render with by indicating a Yes or a No below) (Marking with a cross X is also acceptable)**

Description	Yes/No	Comments
Stationery		
Printing, layout and design		
Advertising		
Supply of newspapers, journals		
Consulting services e.g. legal		
Catering services		
Conference facilities		
Communication media studies		
Office furniture		
Removal of assets		
Computer Equipment & Software		
Electrical, Electronic equipment		
Office Equipment		
Maintenance of electrical, mechanical, plumbing		
Transport		
<b>PROFESSIONAL SERVICES (Please select the relevant professional service that you render below)</b>		
Project Management	Yes/No	
Corporate Support Service Solution		
Finance Services		
Supply Chain Management		
Human Resource Management Services		
Training and Development Services		
Strategic planning and facilitation		
Change Management and Conflict Resolution		
Communication & Stakeholder Management		
Marketing and Public relations		

<b>LEGAL SERVICES (Please select the relevant professional service that you render below)</b>		
	<b>Yes/No</b>	
Investigation/ Fact finding		
Administrative law		
Constitutional law		
Labour law and Employment law		
Intellectual Property law		
Property Law		
Technology law		
Tax law		
Commercial litigation		
Broadcasting law		
Telecommunication law		
Environmental, Health & Safety law		
Corporate law		
Insurance law		
Security Law		
Alternative dispute resolution		
Debt collection		
Legislative Drafting, Interpretation and report writing		

## 6 TAX CLEARANCE REQUIREMENTS

### 6.1 It is a condition of bidding that -

The taxes of the successful bidder **must** be in order, or that satisfactory arrangements have been made with the Receiver of Revenue to meet his / her tax obligations.

The Tax Clearance Certificate must be submitted in the original. Failure to submit the **original** and valid Tax Clearance Certificate **may** invalidate the registration.

In bids where Consortia / Joint Ventures / Sub-contractors are involved each party must submit a separate Tax Clearance Certificate. Copies of the Application for Tax Clearance Certificates are available at any Receiver's Office.

## 7. DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES (SBD8)

- 1 This Standard Bidding Document must form part of all bids invited.
- 2 It serves as a declaration to be used by institutions in ensuring that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system.
- 3 The bid of any bidder may be disregarded if that bidder, or any of its directors have-
  - a. abused the institution's supply chain management system;
  - b. committed fraud or any other improper conduct in relation to such system; or
  - c. failed to perform on any previous contract.
- 4 **In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**

Item	Question	Yes	No
4.1	Is the bidder or any of its directors listed on the National Treasury's database as companies or persons prohibited from doing business with the public sector? <hr/> (Companies or persons who are listed on this database were informed in writing of this restriction by the National Treasury after the <i>audi alteram partem</i> rule was applied).	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.1.1	If so, furnish particulars:		
4.2	Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)? <b>As this Register enter the National Treasury's website, <a href="http://www.treasury.gov.za">www.treasury.gov.za</a>, click on the icon "Register for Tender Defaulters" or submit your written request for a hard copy of the Register to facsimile number (012) 3265445.</b>	Yes <input type="checkbox"/>	No <input type="checkbox"/>

4.2.1	If so, furnish particulars:		
4.3	Was the bidder or any of its directors convicted by a court of law (including a court outside of the Republic of South Africa) for fraud or corruption during the past five years?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.3.1	If so, furnish particulars:		
4.4	Was any contract between the bidder and any organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.4.1	If so, furnish particulars:		

**CERTIFICATION**

**I, THE UNDERSIGNED (FULL NAME).....CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM IS TRUE AND CORRECT.**

**I ACCEPT THAT, IN ADDITION TO CANCELLATION OF A CONTRACT, ACTION MAY BE TAKEN AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE.**

**Signature:** .....

**Date:** .....

**Name of Bidder:** .....

**Position:** .....

## **8. DECLARATION OF INTEREST (SBD4)**

1. Any legal person, including persons employed by the state<sup>1</sup>, or persons having a kinship with persons employed by the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid (includes a price quotation, advertised competitive bid, limited bid or proposal). In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons employed by the state, or to persons connected with or related to them, it is required that the bidder or his/her authorised representative declare his/her position in relation to the evaluating/adjudicating authority where-

- the bidder is employed by the state; and/or
- the legal person on whose behalf the bidding document is signed, has a relationship with persons/a person who are/is involved in the evaluation and or adjudication of the bid(s), or where it is known that such a relationship exists between the person or persons for or on whose behalf the declarant acts and persons who are involved with the evaluation and or adjudication of the bid.

2. In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.

2.1 Full Name of bidder or his or her representative: .....

2.2 Identity Number: .....

2.3 Position occupied in the Company (director, trustee, shareholder<sup>2</sup>): .....

2.4 Company Registration Number: .....

2.5 Tax Reference Number: .....

2.6 VAT Registration Number: .....

2.6.1 The names of all directors / trustees / shareholders / members, their individual identity numbers, tax reference numbers and, if applicable, employee / persal numbers must be indicated in paragraph 3 below.

<sup>1</sup>"State" means –

- (a) any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No. 1 of 1999);

- (b) any municipality or municipal entity;
- (c) provincial legislature;
- (d) national Assembly or the national Council of provinces; or
- (e) Parliament.

<sup>2</sup>"Shareholder" means a person who owns shares in the company and is actively involved in the management of the enterprise or business and exercises control over the enterprise.

2.7 Are you or any person connected with the bidder presently employed by the state? YES / NO

2.7.1 If so, furnish the following particulars:

Name of person / director / trustee / shareholder/ member: .....

Name of state institution at which you or the person connected to the bidder is employed : .....

Position occupied in the state institution: .....

Any other particulars:

.....  
.....  
.....

2.7.2 If you are presently employed by the state, did you obtain the appropriate authority to undertake remunerative work outside employment in the public sector? YES / NO

2.7.2.1 If yes, did you attached proof of such authority to the bid document? YES / NO

(Note: Failure to submit proof of such authority, where applicable, may result in the disqualification of the bid.

2.7.2.2 If no, furnish reasons for non-submission of such proof:

.....  
.....  
.....

2.8 Did you or your spouse, or any of the company's directors / trustees / shareholders / members or their spouses conduct business with the state in the previous twelve months? YES / NO

2.8.1 If so, furnish particulars:  
.....  
.....  
.....

2.9 Do you, or any person connected with the bidder, have any relationship (family, friend, other) with a person employed by the state and who may be involved with the evaluation and or adjudication of this bid? YES / NO

2.9.1 If so, furnish particulars.  
.....  
.....  
.....

2.10 Are you, or any person connected with the bidder, aware of any relationship (family, friend, other) between any other bidder and any person employed by the state who may be involved with the evaluation and or adjudication of this bid? YES/NO

2.10.1 If so, furnish particulars.  
.....  
.....  
.....

2.11 Do you or any of the directors / trustees / shareholders / members of the company have any interest in any other related companies whether or not they are bidding for this contract? YES/NO

2.11.1 If so, furnish particulars:  
.....  
.....



## 9. CERTIFICATE OF INDEPENDENT BID DETERMINATION (SBD 9)

- 10.1 This Standard Bidding Document (SBD) must form part of all bids<sup>1</sup> invited.
- 10.2 Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).<sup>2</sup> Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.
- 10.3 Treasury Regulation 16A9 prescribes that accounting officers and accounting authorities must take all reasonable steps to prevent abuse of the supply chain management system and authorizes accounting officers and accounting authorities to:
- a. disregard the bid of any bidder if that bidder, or any of its directors have abused the institution's supply chain management system and or committed fraud or any other improper conduct in relation to such system.
  - b. cancel a contract awarded to a supplier of goods and services if the supplier committed any corrupt or fraudulent act during the bidding process or the execution of that contract.
- 10.4 This SBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.
- 10.5 In order to give effect to the above, the attached Certificate of Bid Determination (SBD 9) must be completed and submitted with the bid:

<sup>1</sup> Includes price quotations, advertised competitive bids, limited bids and proposals.

<sup>2</sup> Bid rigging (or collusive bidding) occurs when businesses, that would otherwise be expected to compete, secretly conspire to raise prices or lower the quality of goods and / or services for purchasers who wish to acquire goods and / or services through a bidding process. Bid rigging is, therefore, an agreement between competitors not to compete.

**SBD 9**

### **CERTIFICATE OF INDEPENDENT BID DETERMINATION**

I, the undersigned, in submitting the accompanying bid:

\_\_\_\_\_

(Bid Number and Description)

in response to the invitation for the bid made by:

\_\_\_\_\_

(Name of Institution)

do hereby make the following statements that I certify to be true and complete in every respect:

I certify, on behalf of: \_\_\_\_\_ that:

(Name of Bidder)

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:
  - (a) has been requested to submit a bid in response to this bid invitation;
  - (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
  - (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder

**SBD 9**

6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However communication between partners in a joint venture or consortium<sup>3</sup> will not be construed as collusive bidding.
7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
  - (a) prices;
  - (b) geographical area where product or service will be rendered (market allocation)
  
  - (c) methods, factors or formulas used to calculate prices;
  - (d) the intention or decision to submit or not to submit, a bid;
  - (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
  - (f) bidding with the intention not to win the bid.
8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.
9. The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.

<sup>3</sup> Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.

10. I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

.....  
Signature

.....  
Date

.....  
Position

.....  
Name of Bidder

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