## **Notice of Uncontested Sanctions Proceedings**

### April 22, 2025

## Sanctions Case No. 784 IBRD Loan Number 8249-CN (China Guangxi Laibin Water Environment Project)

#### **Respondent:** Guangdong Dianbai Second Construction Group Co., Ltd.

- On January 16, 2025, the World Bank's Chief Suspension and Debarment Officer (the "SDO") issued a Notice of Sanctions Proceedings (the "Notice") to Guangdong Dianbai Second Construction Group Co., Ltd. (the "Respondent") pursuant to sub-paragraph 4.1(a) of Section III.A of the Bank Procedure: Sanctions Proceedings and Settlements in Bank Financed Projects issued by the Bank on November 30, 2023 (the "Sanctions Procedures").
- 2. The Statement of Accusations and Evidence (the "SAE") prepared by the Bank's Integrity Vice Presidency ("INT") and appended to the Notice contained INT's accusation that the Respondent engaged in a sanctionable practice in connection with the above-named project (the "Project"). The SAE also contained the evidence gathered by INT in support of this accusation.
- 3. The specific accusation made by INT in the SAE was that the Respondent engaged in an obstructive practice by failing to provide requested materials related to a Bank-financed contract to INT with the intent of materially impeding the exercise of the Bank's audit rights.
- 4. Based on a review of INT's SAE conducted in accordance with sub-paragraph 4.1(a) of Section III.A of the Sanctions Procedures, and pursuant to sub-paragraph 4.1(c), sub-paragraph 9.1, and sub-paragraph 9.4 of Section III.A of the Sanctions Procedures, with due consideration of the factors set forth in sub-paragraph 9.2 of Section III.A of the Sanctions Procedures and in the World Bank Sanctioning Guidelines, the SDO recommended in the Notice that the Respondents, together with certain Affiliates (as defined in the Sanctions Procedures) where so specified, be sanctioned as follows:

<u>Guangdong Dianbai Second Construction Group Co., Ltd.</u> ("Guangdong Dianbai")

# Recommended Sanction: Debarment with Conditional Release Minimum Period of Ineligibility of One (1) Year and Six (6) Months

It is recommended that Guangdong Dianbai (together with any entity that is an Affiliate directly or indirectly controlled by Guangdong Dianbai... be declared ineligible (i) to be awarded or otherwise benefit from a Bankfinanced contract, financially or in any other manner;<sup>1</sup> (ii) to be a nominated<sup>2</sup> sub-contractor, consultant, manufacturer or supplier, or service provider of an otherwise eligible firm being awarded a Bankfinanced contract; and (iii) to receive the proceeds of any loan made by the Bank or otherwise to participate further in the preparation or implementation of any Bank-Financed Project; provided, however, that after a minimum period of ineligibility of one (1) year and six (6) months, Guangdong Dianbai may be released from ineligibility only if Guangdong Dianbai has, in accordance with sub-paragraph 9.3 of Section III.A of the Sanctions Procedures, demonstrated to the World Bank Group's Integrity Compliance Officer that Guangdong Dianbai has complied with the following conditions:

- (a) Guangdong Dianbai has taken appropriate remedial measures to address the Sanctionable Practice for which Guangdong Dianbai has been sanctioned; and
- (b) Guangdong Dianbai has adopted and implemented, in a manner satisfactory to the Bank, integrity compliance measures as may be imposed by the World Bank Group's Integrity Compliance Officer pursuant to sub-paragraph 9.3(b) of Section III.A of the Sanctions Procedures to address the Sanctionable Practice.

In determining this recommended sanction, the SDO took into account, as a mitigating factor, the significant amount of time that has passed since the Sanctionable Practice occurred. The SDO did not apply any additional mitigating factors, or any aggravating factors.

*This declaration of ineligibility will extend across the operations of the World Bank Group, including IFC, MIGA, and the guarantee and carbon finance operations of the Bank.*<sup>3</sup>

<sup>&</sup>lt;sup>1</sup> For the avoidance of doubt, the declaration of ineligibility to be awarded a contract will include, without limitation, (i) applying for pre-qualification, expressing interest in a consultancy, and bidding, either directly or as a nominated sub-contractor, nominated consultant, nominated manufacturer or supplier, or nominated service provider, in respect of such contract, and (ii) entering into an addendum or amendment introducing a material modification to any existing contract.

<sup>&</sup>lt;sup>2</sup> A nominated sub-contractor, nominated consultant, nominated manufacturer or supplier, or nominated service provider (different names are used depending on the particular bidding document) is one which has been (i) included by the bidder in its prequalification application or bid because it brings specific and critical experience and know-how that allow the bidder to meet the qualification requirements for the particular bid or (ii) appointed by the borrower.

<sup>&</sup>lt;sup>3</sup> Sanctions Procedures, . . . sub-paragraph 9.1(c) of Section III.A. For the avoidance of doubt, the declaration of ineligibility also extends to activities financed through trust funds administered by the Bank to the extent governed by the Bank's

- 5. The Respondent did not submit an Explanation in accordance with subparagraph 4.2(b) of Section III.A of the Sanctions Procedures.
- 6. Sub-paragraph 4.4 of Section III.A of the Sanctions Procedures provides that if a respondent does not contest the accusation or the sanction recommended by the SDO in a Notice of Sanctions Proceedings by submitting a Response (as defined in the Sanctions Procedures) to the World Bank Group Sanctions Board (the "Sanctions Board") within ninety (90) days after delivery of such Notice of Sanctions Proceedings, the sanction recommended by the SDO shall enter immediately into force.
- 7. No Response having been submitted to the Sanctions Board by the Respondent within the specified period, INT's accusation in the SAE and the sanction recommended by the SDO in the Notice are deemed uncontested for purposes of sub-paragraph 4.4 of Section III.A of the Sanctions Procedures, and the recommended sanction set forth in paragraph 4 above has entered into force as of the date hereof.

Jamieson A. Smith

Chief Suspension and Debarment Officer Office of Suspension and Debarment (OSD) The World Bank

Procurement Regulations (or either of the Regulations' predecessor documents, the Procurement Guidelines and Consultant Guidelines) or Anti-Corruption Guidelines. Id., sub-paragraph 1.1(c)(i) of Section III.A.