

Office of Anticorruption and Integrity

反腐和廉政办公室



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Office of Anticorruption and Integrity

反腐和廉政办公室



People's Republic of China:

中华人民共和国:

Executing and Implementing Agencies

执行机构和实施机构

The Integrity Learning Series

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20 May 2022 2022年5月20日



Language selection

Use the Interpretation panel for real time language interpretation

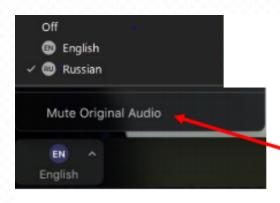
Listening to language interpretation on Windows



•In your meeting/webinar controls, click Interpretation.



•Click the language that you would like to hear.



•(Optional) To only hear the interpreted language, click Mute Original Audio.



语言选择

使用传译设置即时听取传译

在 Windows 上听取传译



在会议/网络研讨会控制中,点击传译。



点击您想听的语言。

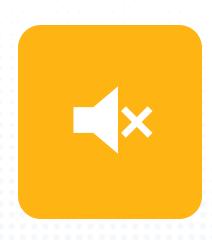


• (可选)如需只听传译,点击**将原始音频禁音。**

Reminders 温馨提示







The session is being recorded 本次会议 正在被录制

Type in your questions through Q&A at any time 随时可以通过问答窗口输入您的问题

Please remain on mute if not speaking 不发言时 请保持静音状态



The Integrity Learning Series

Introduction 引言



冯幽兰(Yolanda Fernandez Lommen)
Country Director
People's Republic of China Resident Mission
亚洲开发银行驻中国代表处首席代表



iACT to fight corruption.

ADB's Vision

亚行愿景

• ADB is committed to achieving a **prosperous**, **inclusive**, **resilient**, and **sustainable** Asia and the Pacific, while sustaining its efforts to **eradicate extreme poverty.** 亚洲开发银行(亚行)在坚持**消除极端贫困**的同时,致力于实现**繁荣、包容、有适应力和可持续**的亚太地区。

• Effective governance and improved institutional capacity in ADB's developing member countries is required to achieve ADB's vision.

要实现亚行愿景,亚行发展中成员体需要加强**有效治理**和**机 构**能力建设。



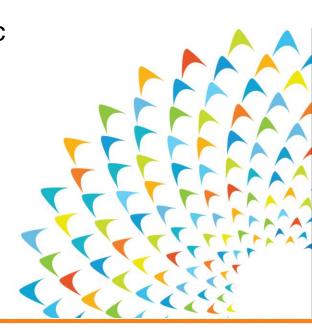
ADB Strategy 2030 亚行《2030战略》

- Strengthening governance and institutional capacity 加强治理和机构能力建设
- ADB will support government efforts to **eradicate corruption** 亚行将支持政府**消除腐败**的努力。
- ADB will promote effective, timely, and corruption-free delivery of public services.

亚行将推进高效、及时的廉洁公共服务。

 ADB will implement anticorruption measures in all ADB projects and programs.

亚行将在所有的亚行项目和计划中实施反腐措施。





The Integrity Learning Series

Welcome Remarks 欢迎致辞

- **Teresa Kho**, Director General, East Asia Department 许李凤玲(Teresa Kho),亚行东亚局局长
- **John Versantvoort**, Head, Office of Anticorruption and Integrity 约翰·韦尔桑特福尔特(John Versantvoort), 反腐和廉政办公室主任
- Zhijia Teng, Director General, Procurement, Portfolio and Financial Management Department
 滕致佳,采购、项目和财务管理局局长
- Lu Jin, Deputy Director General, Department of International Economic and Financial Cooperation, Ministry of Finance, People's Republic of China 鲁劲,副司长,财政部国际财金合作司



iACT to fight corruption.

Objectives 目标



Increase awareness of potential integrity risks and remedial actions 提高对潜在诚信风险和纠正措施的认识



Refresh your knowledge of ADB's integrity framework 刷新对亚行诚信框架的认识



Improve skills in corruption and integrity risk detection, risk assessment, and prevention

提高腐败和廉政风险检测、风险评估和风险预防的技能

Outline

概要

1

Procurement and financial management - tendering and execution of contracts

采购和财务管理——招投标和签署合同

2

Integrity risk mitigation and prevention

诚信风险缓解和预防措施

3

Prohibited practices and observations

禁止行为和补救措施



Procurement and Financial Management - tendering and execution of contracts

采购和财务管理——招投标和签署合同

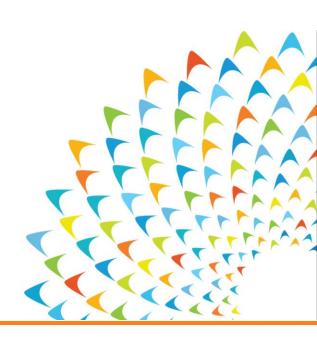


ADB Procurement Policy and Regulations for Borrowers 亚行采购政策和借款人规定

VII. Integrity 七、诚信

- 10. ADB requires application of the highest standard of ethics during any procurement process subject to this Policy and use of funds, resources, assets, and authority in accordance with ADB's Anticorruption Policy and Integrity Principles and Guidelines (both as amended from time to time) (Anticorruption Guidelines).
 - 亚行要求借款人应遵照本政策要求,根据最高道德准则执行任何采购流程,对资金、资源、资产和权力的任何运用应符合亚行《反腐败政策》和《诚信原则和指南》(经不时修订)(以下简称"亚行反腐败指南")。
 - (e) A firm or individual sanctioned or temporarily suspended by ADB in accordance with ADB's Anticorruption Guidelines shall be ineligible to participate in or to be awarded an ADB-financed or ADB-administered contract or to benefit from an ADB-financed or ADB-administered contract, financially or otherwise, during the period of time determined by ADB.

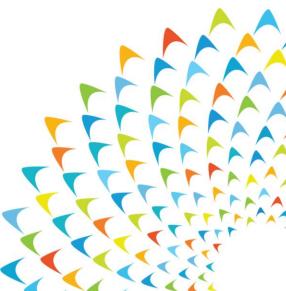
对于亚行依据《反腐败指南》制裁或暂停资格的公司或个人,应在亚行规定的时限内,取消该等公司或个人参与或被授予亚行资助或亚行管理的合同的资格,或者取消从亚行资助或亚行管理的合同中获得财务或其他方面利益的资格。



亚行标准采购文件——投标人须知

- 3. Fraud and Corruption
- 3.欺诈与腐败行为
- **3.1** ADB requires Borrowers (including beneficiaries of ADB-financed activity) and their personnel, as well as firms and individuals participating in an ADB-financed activity, including but not limited to, Bidders, Suppliers, and Contractors, agents, subcontractors, subconsultants, service providers, subsuppliers, manufacturers (including their respective officers, directors, employees and personnel) under ADB-financed contracts to observe the highest standard of ethics during the procurement and execution of such contracts in accordance with ADB's Anticorruption Policy (1998, as amended from time to time)

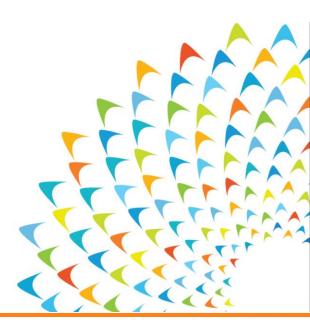
亚行的《反腐败政策》(1998年,经不时修订)规定,借款人(包括亚行资助项目的受益人)及其人员以及参与亚行融资活动的公司和个人(包括但不限于亚行融资合同的投标人、供应商和承包商、代理商、分包商、分包咨询顾问、服务供应商、分包供应商、制造商及其各自的高级管理人员、董事、雇员和人员)在采购和执行这些合同时应遵守最高的道德标准。



亚行标准采购文件——投标人须知

- 3. Fraud and Corruption
- 3.欺诈与腐败行为
- 3.1 (b) will reject a proposal for award if it determines that the Bidder recommended for award or any of its officers, directors, employees, personnel, subconsultants, subcontractors, service providers, suppliers or manufacturers has, directly or through an agent, engaged in corrupt, fraudulent, collusive, coercive, or obstructive practices or other integrity violations in competing for the Contract;

如果亚行确定被推荐中标人或其任何高级职员、董事、雇员、人员、分包咨询顾问、分包供应商、服务供应商、供应商或制造商在该合同的竞争中直接或通过代理参与了腐败、欺诈、共谋、胁迫活动或存在妨碍行为,或其它违背诚信的行为,亚行将拒绝该授标建议;



亚行标准采购文件——投标人须知

- 3. Fraud and Corruption
- 3.欺诈与腐败行为
- 3.1 (d) will impose remedial actions on a firm or an individual, at any time, in accordance with ADB's Anticorruption Policy and Integrity Principles and Guidelines, including declaring ineligible, either indefinitely or for a stated period of time, to participate¹ in ADB-financed, -administered, or supported activities or to benefit from an ADB-financed, -administered, or supported contract, financially or otherwise, if it at any time determines that the firm or individual has, directly or through an agent, engaged in corrupt, fraudulent, collusive, coercive, or obstructive practices or other integrity violations; and

如果亚行在任何时候确定公司或个人直接或通过其代理从事腐败、欺诈、 共谋、胁迫活动或存在妨碍行为,或其它违背诚信的行为,亚行将根据其 《反腐败政策》和《诚信原则和指南》对该公司或个人采取纠正措施,包括 宣布无限期地或在规定期限内取消其参与1由亚行融资、管理或支持的活动, 或从由亚行融资、管理或支持的合同中获得财务或其他收益的资格;以及



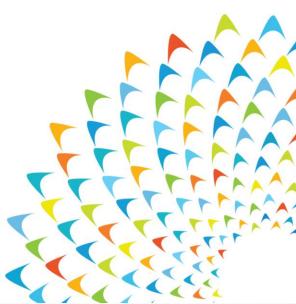
亚行标准采购文件——投标人须知

4.4 A firm will not be eligible to participate in any procurement activities under an ADB-financed, - administered, or -supported project while under temporary suspension or debarment by ADB pursuant to its Anticorruption Policy (see ITB 3), whether such debarment was directly imposed by ADB, or enforced by ADB pursuant to the Agreement for Mutual Enforcement of Debarment Decisions. A bid from a temporarily suspended or debarred firm will be rejected and such bid may be in breach of debarment conditions, thereby subject to further ADB's investigation.

被亚行根据其《反腐败政策》(参见"投标人须知"第3条)临时暂停或取消资格的企业将不得参与由亚行融资、管理或者支持的任何项目的采购工作,无论制裁是由亚行直接发起,还是由亚行根据联合制裁协议而实施。来自被临时暂停或取消资格企业的投标将被拒绝,而且此类投标可能会违反取消资格的条件,将接受亚行的进一步调查。

2.1.3 ADB Eligibility 投标人是否被亚行宣布为不合格

Not having been declared ineligible by ADB, as described in ITB 4.4 如 "投标人须知"第4.4 款所述,投标人未被亚行宣布为不合格。	Must meet requirement 必须满足要求	Must meet requirement 必须满足要求	Must meet requirement 必须满足要求	Not applicable 不适用	Letter of Bid 投标函
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亚行标准采购文件——投标人须知

4.8 Bidders shall be excluded if, by an act of compliance with a decision of the United Nations Security Council taken under Chapter VII of the Charter of the United Nations, the Borrower's country prohibits any import of goods from, or payments to, a particular country, person, or entity in respect of goods or services originating in that country. Where the Borrower's country prohibits payments to a particular person or entity or for particular goods or services by such an act of compliance, that firm shall be excluded.

如果根据联合国安理会按照联合国宪章第七章所作的决定,借款人所在国禁止从该国进口货物,并且禁止向该国、人员或实体就从该国进口的货物或服务支付款项,则该国的投标人为不合格投标人。借款人所在国禁止根据联合国安理会按照联合国宪章第七章所作的决定向特定个人或实体或就特定货物或服务支付款项的,该公司应被排除在外。

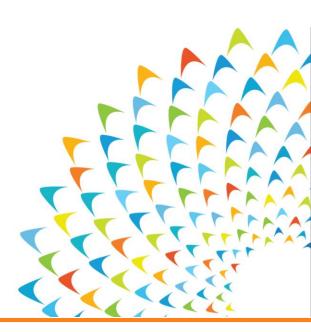
2.1.5 United Nations Eligibility 联合国决议是否宣布投标人不合格

Not having been excluded by an act of compliance with a United Nations Security Council	Must meet requirement 必须满足要求	Must meet requirement 必须满足要求	Must meet requirement 必须满足要求	Not applicable 不适用	Letter of Bid 投标函
resolution in accordance with ITB 4.8. 投标人未被联合国安理会决议宣布为不合格投标人("投标人须知"第4.8					
款)。					



ADB Standard Procurement Documents Letter of Bid 亚行标准采购文件 投标函

- (b) We acknowledge that we have read and understand ADB's Anticorruption Policy (1998) and Integrity Principles and Guidelines (2015), both as amended from time to time. 我方承认,我方已阅读和理解了亚行《反腐败政策》(1998)和《诚信原则和指南》(2015),均经不时修订。
- (k) Our firm, Joint Venture partners, our respective direct and indirect shareholders, directors, key officers, key personnel, associates, parent company, affiliates or subsidiaries, including any Subcontractors, consultants, subconsultants, manufacturers, service providers or Suppliers for any part of the contract, are not subject to, or not controlled by any entity or individual that is subject to a temporary suspension or a debarment imposed by the Asian Development Bank; or a debarment imposed by the Asian Development Bank in accordance with the Agreement for Mutual Enforcement of Debarment Decisions between the Asian Development Bank and other development banks.¹ 我司、联合体成员、各自的直接和间接股东、董事、关键高级职员、关键人员、联营企业、母公司、其附属公司或子公司,包括将履行本合同任何部分内容的分包商、咨询顾问、分包咨询顾问、制造商、服务供应商或供应商不隶属于也不受被亚行临时暂停或取消资格的任何单位或个人所控制,不隶属于也不受亚行依据其与其他开发银行之间达成的联合制裁协议取消资格的任何单位或个人所控制。
- (k) Our firm, Joint Venture partners, our respective direct and indirect shareholders, directors, key officers, key personnel, associates, parent company, affiliates or subsidiaries, including any Subcontractors, consultants, subconsultants, manufacturers, service providers or Suppliers for any part of the contract, are not under ongoing investigation and/or sanctions proceedings by the Asian Development Bank or any multilateral development bank. 我司、联合体成员、各自的直接和间接股东、董事、关键高级职员、关键人员、联营企业、母公司、其附属公司或子公司,包括将履行本合同任何部分内容的分包商、咨询顾问、分包咨询顾问、制造商、服务供应商或供应商目前均未接受亚行或其他多边开发银行的调查和/或制裁。



ADB Standard Procurement Documents Letter of Bid 亚行标准采购文件 投标函

(m) Our firm, Joint Venture partners, our respective direct and indirect shareholders, directors, key officers, key personnel, associates, parent company, affiliates or subsidiaries, including any Subcontractors, consultants, subconsultants, manufacturers, service providers or Suppliers for any part of the Contract, are not temporarily suspended, debarred, declared ineligible, or subject to any national and/or international sanctions by any country, any international organization, any multilateral development bank and other donor agency.

我司、联合体成员、各自的直接和间接股东、董事、关键高级职员、关键人员、联营企业、母公司、其附属公司或子公司,包括将履行本合同任何部分内容的分包商、咨询顾问、分包咨询顾问、制造商、服务提供商或供应商均未或从未被任何国家、任何国际组织、任何多边开发银行和其他资助机构临时暂停资格、取消资格、宣布为不合格或受任何国家和/或国际制裁。

(aa) We certify on behalf of the Bidder, that the information provided in the bid has been fully reviewed, given in good faith, and to the best of our knowledge is true and complete. We understand that it is our obligation to inform the Employer of any changes to the information as and when it becomes known to us. We understand that any misrepresentation that knowingly or recklessly misleads, or attempts to mislead may lead to the automatic rejection of the Bid or cancellation of the contract, if awarded; and may result in remedial actions, in accordance with ADB's Anticorruption Policy (1998, as amended to date) and Integrity Principles and Guidelines (2015, as amended from time to time).

我方,谨代表投标人,特此证明,投标文件中所提供的信息均经过充分审查,遵循诚信原则,而且据我方所知,该等信息是真实和完整的。我们理解,当得知该等信息发生任何变更之时,我方有义务通知业主。我方理解根据亚行《反腐败政策》(1998年,经不时修订)和《诚信原则和指南》(2015年,经不时修订),任何有意或肆意误导或者企图误导的虚假陈述可能导致投标被自动拒绝,或已授予的合同被取消并且可能采取纠正措施。



亚行标准采购文件 投标文件格式

Form	FIN.	- 1. H	listorica	l Financi	al Per	formance
rorm	LIIA .	- I: F	iistorica	ı Financi	ai rer	iormance

Each Bidder must fill out this form.

In case of a Joint Venture, each Joint Venture Partner must fill out this form separately and provide the Joint Venture Partner's name:

Joint Venture Partner: _____

Financial Data for Previous 3 Years ^a [\$ equivalent]				
Year 1:	Year 2:	Year 3:		

Information from Balance Sheet

Total Assets (TA)		
Total Liabilities (TL)		
Net Worth = TA - TL		
Current Assets (CA)		
Current Liabilities (CL)		
Working Capital = CA - CL		

表格 FIN-1: 历史财务状况

每位投标人都必须填写本表。

如果是联合体,每一个联合体成员都必须单独填写本表,并提供联合体成员的名称:

联合体成员: ______

前3年。的历史财务资料[等值美元]			
第1年:	第2年:	第3年:	

资产负债表信息

总资产(TA)	
总负债(TL)	
净资产=总资产-总负债	
流动资产 (CA)	
流动负债(CL)	
营运资金=流动资产-流动负债	



亚行标准采购文件投标文件格式

Form FIN - 2: Average Annual Construction Turnover

Each Bidder must fill out this form.

The information supplied should be the Annual Turnover of the Bidder or each partner of a Joint Venture for the total certified payments received from the clients for contracts in progress or completed, converted to US dollars at the rate of exchange at the end of the period reported.

In case of a Joint Venture, each Joint Venture Partner must fill out this form separately and provide the Joint Venture Partner's name:

Joint Venture	Partner:	
---------------	----------	--

	Annual Turnover Data for the Last Years ^a (Construction only)				
Year	Amount Currency	Exchange Rate	\$ Equivalent		
	Average Ar				

表格 FIN-2: 年均建筑营业额

每位投标人都必须填写本表。

应填写投标人或每一个联合体成员的年营业额,以便得出就在建合同或已完工合同从客户处收到的已核实的总款项,按报告期结束时的汇率折算成美元。

如果是联合体,每一个联合体成员都必须单独填写本表,并提供联合体成员的名称:

联合体成员:	
B+ = 1 \(\text{h} \) (7)	
MAINTENANCE .	

年份	金额和货币	汇率	等值美元
1 03	MEROTI-SKIP		3.800
			30

亚行标准采购文件投标文件格式

Form FIN - 3: Availability of Financial Resources

Bidders must demonstrate sufficient financial resources, usually comprising of Working Capital supplemented by credit line statements or overdraft facilities and others to meet the Bidder's financial requirements for

- (a) its current contract commitments, and
- (b) the subject contract.

In case of a Joint Venture, each Joint Venture Partner must fill out this form separately and provide the Joint Venture Partner's name:

Joint Venture Partner: _____

	Financial Resources	
No.	Source of Financing	Amount (\$ equivalent)
1	Working capital (to be taken from FIN - 1)	
2	Credit Line ^a	
3	Other financial resources	

Total Available Financial Resources

表格 FIN-3: 可用财务资源

投标人必须证明其具备足够的财务资源,通常包括营运资金,辅以授信额度报表或透支贷款等,以 满足投标人在以下方面的现金流需求:

- (a) 在手合同,以及
- (b) 标的合同。

如果是联合体,每一个联合体成员都必须单独填写本表,并提供联合体成员的名称:

联合体成员:.	
秋中1年ルカス・・	

财务资源			
编号	融资来源	金额 (等值美元)	
1	营运资金(提取 自表格FIN-1)		
2	授信额度。		
3	其它财务资源		

亚行标准采购文件 投标文件格式

Form EXP - 1: Contracts of Similar Size and Nature

Fill out one (1) form per contract. Each contract shall be supported by documents such as Signed Contract Agreement, Taking-Over Certificate, Contract Completion Certificate or Performance Certificate.

The exchange rate to be used to calculate the value of the contract for conversion to a specific currency shall be the selling rate of the Borrower's Central bank on the date of the contract.

Contract of Similar Size and Nature			
Contract No of	Contract Identification		
Award Date		Completion Date	
Total Contract Amount	\$		
If partner in a Joint Venture or Subcontractor, specify participation of total contract amount	Percent of Total	Amount	
Employer's name Address Telephone number Fax number E-mail			

表格 EXP-1: 规模和性质相似的合同

每份合同填写一(1)份表格,"已签署的合同协议书"、"移交证书"、"合同工程完工证书"或"履约证明"等作为其配套文件。

用于计算合同价值的汇率应是借款人央行在合同签订之日兑换特定币种的卖出汇率。

规模和性质相似的合同			
第个合同,共个合同	合同名称		
合同授予日期		完成日期	
合同总额	美元		
如果是联合体成员或分包商,请说 明在合同总额中的占比	占合同总额的比例	金额	
业主名称 地址			
电话号码			
传真号码 电子邮件			



亚行标准采购文件 投标文件格式

Form EXP - 2: Construction Experience in Key Activities

Fill out one form per contract. Each contract shall be supported by documents such as Signed Contract Agreement, Taking-Over Certificate or Contract Completion Certificate.

Each Bidder must fill out this form.

If complied by Specialist Subcontractors, each Specialist Subcontractor must fill out this form and provide the Specialist Subcontractor's name:

Specialist Subcontractor: _____

Contract with Similar Key Activities			
Contract No of	Contract Identification		
Award Date		Completion Date	
Total Contract Amount	\$		
If partner in a Joint Venture or Subcontractor, specify participation of total contract amount	Percent of Total	Amount	
Employer's name Address Telephone number Fax number E-mail			

表格 EXP-2: 关键活动的建设经验

每份合同填写一(1)份表格,"已签署的合同协议书"、"移交证书"或"合同工程完工证书"等作为其配套文件。

每位投标人都必须填写本表。

如果是多个专业分包商,每一个专业分包商都必须单独填写本表,并提供专业分包商的名称:

专业分包商______

关键活动相似的合同			
第个合同,共个合同	合同名称		
合同授予日期		完成日期	
合同总额	美元	****	
如果是联合体成员或分包商,请说 明在合同总额中的占比	占合同总额的比例	金额	
业主名称		2	
地址			
电话号码			
传真号码			- TETTON
电子邮件			C. C. Litter

Contracts for Works and Consulting Services

工程和咨询服务合同

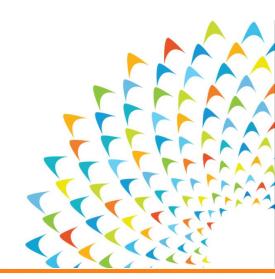
If the Contactor is debarred or temporarily suspended by ADB, it shall inform the Employer of such debarment or suspension, and that the endorsement of ADBs Office of Anticorruption and Integrity is required for any variations, extensions or modifications to the Contract.

如供应商被亚行临时暂停或取消资格,应通知业主,且对本合同的任何变更、延期或修改均需得到亚行反腐和廉政办公室的认可。

If the Employer determines, based on reasonable evidence, that the Contractor has engaged in corrupt, fraudulent, collusive or coercive practices, or other i ntegrity violations, incl uding the failure to disclose any required information which constitutes a fraudulent practice, in competing for or in executing the Contract, then the Employer may, after giving 14 days notice to the Contractor, terminate the Contract and expel him from the Site, and the provisions of Clause IS shall apply as if such termination had been made under Sub-Clause 15.2 [Termination by Employer]. 如果业主基于合理证据确定承包商从事腐败、欺诈、共谋或胁迫活动,或其它违背诚信的行为,包括在竞标或执行合同过程中时未按要求披露任何构成欺诈行为的信息,则业主可在提前14天通知承包商后终止合同并将其驱逐出现场,而且如同该等终止是根据第15.2款[终止合同]的规定进行,则应适用第15条的规定。

19.1.2 Furthermore, if the Client determines that the Consultant has engaged in corrupt, fraudulent, collusive, coercive [or obstructive] practices, in competing for or in executing the Contract, the Client may. after giving 14 calendar days' written notice to the Consultant, terminate the Consultant's employment under the Contract.

19.1.2 如果客户确定咨询顾问在竞标或执行合同过程中时从事腐败、 欺诈、共谋、胁迫活动[*或存在妨碍行为*],那么客户可在提前14个日历 日通知咨询顾问后终止咨询顾问在合同项下的工作。



Contractors' and Consultants' Responsibilities

承包商和咨询顾问的责任

- Be familiar with ADB's Anticorruption Policy and Integrity Principles and Guidelines.
 熟悉亚行的《反腐败政策》和《诚信原则和指南》
- Carefully read instructions in the bidding documents. 仔细阅读招标文件中的说明。
- Ensure that the Bidder's shareholders, directors, key officers, key personnel, associates, parent company, affiliates or subsidiaries
 - 确保投标人的股东、董事、关键高级职员、关键人员、联营企业、母公司、其附属公司或子公司
 - ▶ are not under a temporary suspension or a debarment by ADB or any multilateral development bank 没有被亚行或任何多边开发银行暂停资格或取消资格
 - > are not under ongoing investigation and/or sanctions proceedings by ADB or any multilateral development bank. 没有正在接受亚行和或任何多边开发银行的调查或制裁
- Report to ADB or the Employer (the Client) at any time if the Contactor (the Consultant) is debarred or temporarily suspended.
 - 如果承包商(咨询顾问)被取消资格或暂停资格,应随时向亚行或业主(客户)报告。
- Permit ADB to inspect the Contractor's (the Consultant's) assets, accounts and records, and other documents relating
 to the bid submission and contract performance and to have them audited by auditors appointed by ADB.
 - 允许亚行检查承包商(咨询顾问)与投标有关的资产、账目和记录以及其他文件,并由亚行指定的审计师对其进行审计
- Cooperate fully in any investigation when requested by ADB. 在亚行提出要求时,充分配合任何调查。



Executing agencies (EAs) are responsible for sanction checks 执行机构 (EA) 负责检查制裁情况

Procurement of Goods and Works – Stages 货物和工程采购——阶段

Prequalification 资格预审 Technical BER 技术建议书评标 报告 Financial BER 财务建议书评标 报告

Contract Award 合同授予 Withdrawal Applications 提款申请书 Contract Variations/ Modifications 合同变更/修订

Procurement of Consulting Services 咨询服务采购

Shortlisting 最终候选人名单 Technical Proposals 技术建议书 Financial Proposals 财务建议书

Contract Award 合同授予 Withdrawal Applications 提款申请书

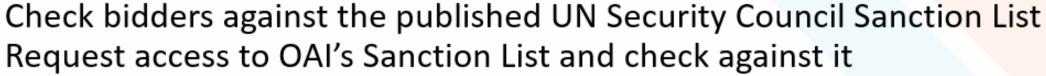
Contract Variations/ Modifications 合同变更修订

How is Sanction Screening done?

如何完成制裁筛查?

EA Staff Role

执行机构员工的作用



根据公布的联合国安理会制裁名单检查投标人

请求访问反腐和廉政办公室制裁名单并据此进行检查 Reflect the results of sanction check in bid evaluation reports or recommendations for contract award (in case of direct contracting) submitted to ADB

在向亚行提交的评标报告或合同授予建议(直接采购)中体现制裁检查结果





Integrity risk mitigation and prevention 诚信风险缓解和预防措施

66

Corruption is the single greatest obstacle to economic and social development around the world.

腐败是 阻碍世界经济社会发展的 最大障碍。 Every year, \$1 trillion is paid in bribes, while an estimated \$2.6 trillion are stolen annually through corruption.

全世界每年的贿赂额约**1万亿美元**,同时全球经济因腐败活动每年损失 **2.6万亿美元**。

A sum equivalent to more than 5% of the global GDP.

总额占全球国内生产总值的5%。

United Nations Security Council 10 September 2018

联合国安理会,2018年9月10日



Probability and Likelihood

概率和可能性



2,504 CASES

from



125 COUNTRIES

来自125个国家的2,504个案例



Causing total losses of more than \$3.6 BILLION

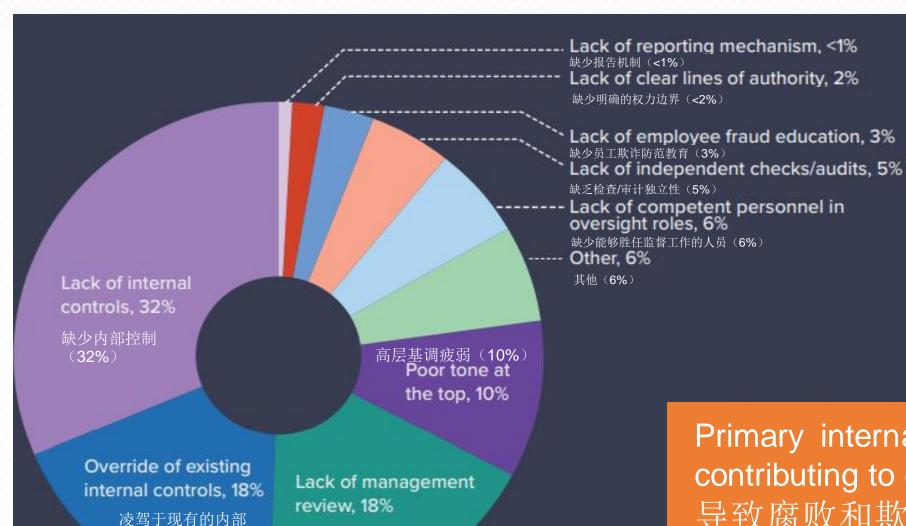
造成的损失总额超过36亿美元



Association of Certified Fraud Examiners: Report to the Nations 2020

美国注册舞弊审查师协会:《2020年各国舞弊调查报告》





Primary internal control weaknesses contributing to corruption and fraud 导致腐败和欺诈行为的主要内部控 制缺陷

Association of Certified Fraud Examiners: Report to the Nations 2020 美国注册舞弊审查师协会: 《2020年各国舞弊调查报告》

控制之上(18%)



缺少管理审查

(18%)

lo sin let, tur ng lit.

FINANCIAL CRISIS AT GOVERNMENT AGENCY: WHERE DID THE MONEY GO? 政府机构的财务危机:钱去哪了?

tur out

Inappropriate contract negotiations cause of project failure 因合同谈判不当而导致项目失败

Sewerage in water sees spike at hospital emergency 医院急诊科污水量激增

Substandard materials and works:

Substandard materials and works:

Government agency 100%

accountable
accountable
材料和工程质量不合格: 政府机构承
担100%责任

Shock resignations following litigation scandal never verified

从未核实诉讼丑闻后惊人的离职率



Sit

ADB's Anticorruption Policy

亚行《反腐败政策》



Promoting efficient, effective, accountable, and transparent public administration including good governance and capacity building 推行高效、有效、负责任且透明的公共行政管理,包括良治和能力建设



Supporting anticorruption efforts in the region through quality dialogue with the DMCs 通过高质量对话支持发展中成员体的反腐败工作



Ensuring that ADB projects and staff adhere to the highest ethical standards 确保亚行项目和工作人员遵守最高道德标准



ADB defines corruption as the abuse of public or private office for personal gain

亚行对腐败的简要定义为"滥用公共或私人职权谋取个人利益"。

ADB's Anticorruption Policy 亚行《反腐败政策》



Policy and Guidelines 政策和指南



Operational Instructions 操作说明



Administrative Orders 行政规章





Applies to executing and implementing agencies, contractors, consultants, suppliers, ADB staff, and anyone connected to an ADB-financed, -administered, or -supported activity. 适用于执行和实施机构、承包商、咨询顾问、供应商、亚行工作人员,以及与亚行资助、管理或支持活动有关的任何人员。

Poll: What is integrity due diligence?

民意调查: 什么是廉政尽职调查?



Commercial Benefits of Due Diligence

尽职调查的商业效益

Due diligence allows **informed decision making** by enhancing the amount and quality of information available to decision makers and by ensuring that this information is systematically used to deliberate on the decision at hand and all its costs, benefits, and risks*

尽职调查可提高决策者可获得信息的数量和质量,确保这些信息被系统性地用于审查现有决策及其所有成本、效益和风险,从而**为决策提供依据***

Assurance or otherwise that the third party:

保证或以其他方式保证第三方:

- a) Has the necessary skills and experience to provide the services for which they will be contracted;
- b) Is a **reputable** and **reliable** business partner with a **good track-record**;
- c) Is bone fide and there are no identifiable risks of corruption or other integrity risks associated with the third party;
- d) Is charging a **fair market price** for their services (a company paying bribes may often charge more for its services in order to create a slush fund to pay bribes).
- a) 具备提供所承揽服务的必要技能和经验;
- b) 是**诚信可靠、业绩良好**的商业合作伙伴;
- c) 诚信守法,未发现与第三方有关的**腐败或其他廉政风险**;
- d) 按公平的市场价格收取服务费(为设立行贿基金来支付贿金,行贿公司通常会收取高额服务费)。

Commercial Benefits of Due Diligence

尽职调查的商业效益

Provide actual knowledge of integrity risks, or red flags, associated with the third party and the opportunity to assess and mitigate those risks at the outset which will reduce integrity risk.

如实说明与第三方有关的廉政风险或危险信号,并提供机会,在一开始就评估和缓解这些风险,以降低廉政风险。

Not being associated with **disreputable** suppliers, contractors, counterparts.

不与离心离德的供应商、承包商和交易对方存在业务联系。

Contribute to safeguarding the project and **ensuring that the funds** are being **utilized** for their intended **development purpose**.

协助保护项目,确保资金用于既定的发展目的。

Chapman, C. E. (2006). *Conducting Due Diligence*. Practicing Law Institute, New York, NY 查普曼·C. E. (Chapman, C. E.) (2006年)。*开展尽职调查,*法律实务学会,纽约州纽约市



Beneficial ownership

受益所有权

Financial background and Payment of Contract 财务背景和合同付款

Factors in Conducting Due Diligence 尽职调查的要素 Competency of third party

第三方的能力

Public Records Resources: History of Corruption and Adverse News

公共记录资源: 腐败和负面新闻的历史

Reputation: Consulting Commercial References

声誉: 咨询商业参考

Approach to Ethics and Compliance

道德和合规的方法

Industries considered higher risk 被认为风险较 高的行业



- Public works/construction 公共工程/施工
- Utilities 水电费
- Real estate, property, legal and business services 房地产、物业、法律 和商业服务
- Oil and gas 石油和天然气
- Mining 采矿
- Power generation and transmission 发电和输电
- Pharmaceuticals and health care 药品和医疗保健
- Heavy manufacturing 重工业
- Fisheries 渔业

- Arms, defence and military 武器、国防和军事
- Transportation and storage 运输与储存
- Telecommunications 电信
- Consumer services 客户服务
- Forestry 林业
- Banking/finance 银行/金融
- Information Technology 信息技术
- Civilian aerospace 民用航空
- Light manufacturing 轻工业
- Agriculture 农业

Transparency International Bribes Payers Index Report 2011 which ranks 19 economic sectors from the most bribery-prone to the least bribery-prone. 《透明国际2011年行贿指数报告》对19个经济部门进行从"最容易行贿"到"最不容易行贿"的排名。



Conducting Due Diligence

开展尽职调查



Financial background & payment of contract 财务背景和合同付款

- □ Are there any payments that are not transparent where it is not clear who the payment is being paid to or why? E.g. are there vague or non-specific payments such as "consulting expenses"? 是否存在任何不透明的付款,即不清楚支付给谁或为什么向其支付? 例如,是否存在模糊或不具体的付款,如"咨询费用"?
- □ Have the third party's fees been commensurate with the services provided? 第三方收取的费用是否与其所提供的服务相称?
- □ Is there anything unusual about the frequency of payments? 付款频率是否存在任何异常?
- ☐ Consideration should also be given to expenses—particularly if they are excessive. This could be an indication of bribes.

还应考虑支出——特别是在支出金额过高的情况下。这可能是一个贿赂迹象。

Conducting Due Diligence

开展尽职调查

Does/has the third party... 第三方是否.....

- □ Have experience of the industry and country where the services will be provided? 具备在服务所属行业和所在国家开展业务的经验?
- □ Have the qualifications and experience to provide the services required under the contract?
 - 具备提供合同所要求服务的资格和经验?
- □ Provided a competitive estimate for the work? 对工程进行有竞争力的估计?
- □ Have a business presence in the country where the services are to be provided? 在服务所在国家开展业务?
- □ Been recommended by a public official? 由政府官员推荐?

- □ Requested urgent payments or unusually high commissions? 要求紧急付款或佣金奇高?
- Requested payments to be made in cash, to a third party, or to different country? 要求现金付款,向第三方付款,或向其他国家付款?
- Suggested they know all the 'right people' to secure the contract?
 - 暗示其认识所有"合适的人"来确保获得合同?
- □ Been selected in a transparent way? 被以透明方式选中?
- □ Are there sufficient business reasons for awarding the contract to this third party? 具备足够的商业理由将合同授予第三方?
- □ Are the scope of services necessary? 服务范围是否必要?

Conducting Due Diligence

开展尽职调查

Reputation 声誉 How long have you known the third party? 你认识第三方有多长时间了?

- □ In what capacity do you know the third party? 你是以何种身份认识第三方的?
- □ Have you experienced any problems with the third party? 你是否发现第三方存在任何问题?
- □ Have you ever had any concerns of corruption or other integrity risks in respect of the third party?
 你是否曾担心第三方存在腐败或其他廉政风险?
- □ Are you aware of any allegations of criminal activity against the third party or any of its employees? 你是否知道针对第三方或其任何员工的任何犯罪行为指控?

- □ Do you consider the third party to be honest in its business dealings?

 你认为第三方在其业务往来中保持诚信吗?
 - Do you know if the third party has any connections with government officials or government agencies? 你知道第三方是否与政府官员或政府机构有联系吗?
- Do you know if any of the third party's employees or family members of the employees have any connections with government officials or government agencies? 你知道第三方的任何员工或员工家属是否与政府官员或政府机构有联系吗?

Mitigating Measures: Vulnerabilities in Bid Evaluation

缓解措施: 评标薄弱点

BEC members should undergo hands-on training on all aspects of bid evaluation, especially due diligence, before embarking on new bid evaluation assignments. Support from ADB regional departments, supervision consultants, and engaged procurement experts required.

评标委员会的成员应在开始执行新的评标任务之前,接受评标各个方面的实际培训 (特别是在尽职调查方面)。要求获得亚行区域局、监管顾问和相关采购专家的支持。

Perform rigorous review of bid evaluation reports, particularly when the executing agency's procurement capacity is not strong or when contracts are high-value, high-risk, or complex. Rigorous review entails seeking clarifications from the executing/implementing agencies, calling in bids on a sample basis, validating evaluation report information against bids, and assessing the reasonableness of significant evaluation committee decisions.

严格审查评标报告,特别是在执行机构采购能力不强或合同价值高、风险高或较为复杂的情况下。 严格审查包括要求执行机构/实施机构进行澄清,抽样招标,根据投标文件核实评价报告的信息, 以及评估评标委员会重大决策的合理性。

Mitigating Measures: Vulnerabilities in Bid Evaluation

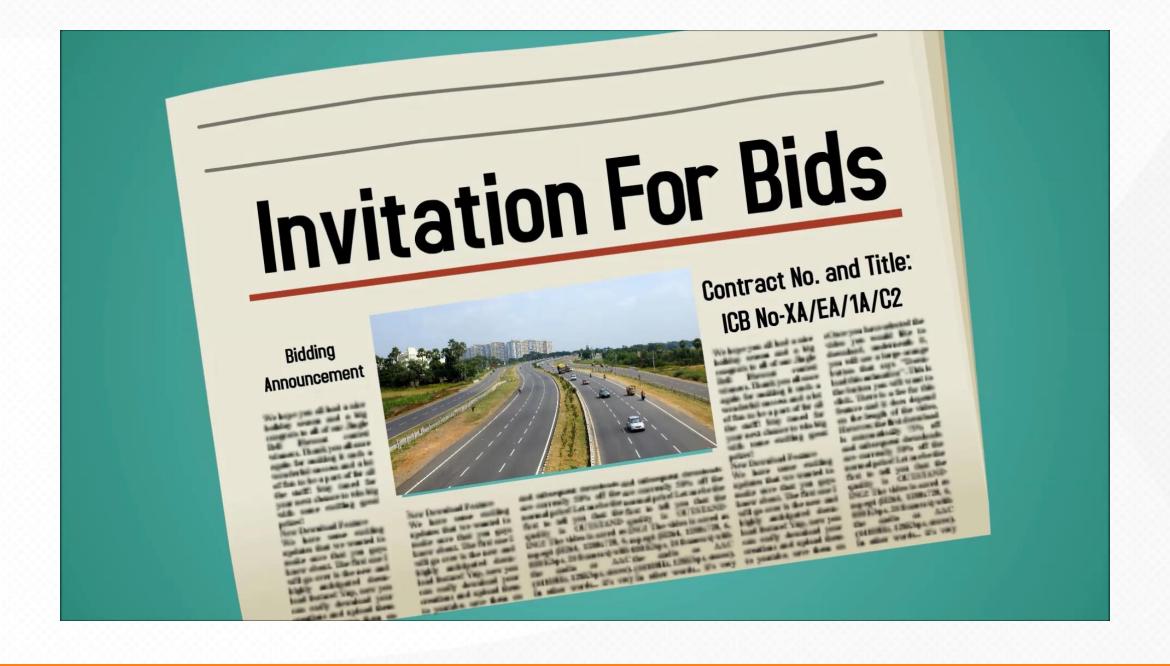
缓解措施: 评标薄弱点

The executing/implementing agency should hold pre-bid meetings for high-value, high-risk, or complex procurement, where bidding requirements are carefully discussed with bidders. These requirements must be understood by the bidders and consistently applied by the BEC.

执行机构/实施机构应为高价值、高风险或复杂的采购活动举行标前会议,与投标人仔细讨论投标要求。 必须确保投标人理解这些要求,并始终由评标委员会实施这些要求。

The executing/implementing agency should check accuracy and completeness of information in BERs before submitting these for ADB's approval. For transparency, decisions made and justifications for deviations should be properly documented in the BERs.

执行机构/实施机构应在评标报告提交亚行审批之前,检查评标报告所载信息的准确性和完整性。为提高透明度,应适当地将所作的决定和偏离决定的理由记录在评标报告中。





Project Implementation Processes

项目实施过程 **Procurement** 采购

Contract & Asset Management

合同与资产管理

Financial Management

财务管理



投标

Prequalification; bidding documents preparation; and bid advertisement, submission, and opening 资格预审;准备招标文件;招标广告、提交、开标



Contract administration

Output monitoring

与承包商、咨询顾问和供应商

就项目产出进行接洽/对其进行监督

合同管理

The management of the day-to-day practicalities and administrative requirements under the contract 日常活动管理以及 合同下的事务管理要求

consultants, and suppliers in relation to project outputs



Expenditure management 支出管理

Approval and processing of payments for project expenditures 项目支出付款的审批和处理



Financial reporting

财务报告 Project accounting and auditing 项目会计与审计

Bid evaluation

评标

Assessment of bidders' compliance with bidding requirements, and preparation and approval of evaluation report 评估投标人符合招标要求的情况, 并编制和批准评估报告



Contract award

合同授予

Post-bid evaluation activities until contract is awarded and signed 在合同授予和签订之前 的评标后活动

Asset control

资产监控

产出监测

Safeguarding and maintenance of project assets including asset inventory 保障和维护项目资产. 包括资产盘点

Engagement with/supervision of contractors,



These sub-processes reflect those assessed by OAI and do not necessarily reflect all sub-processes that exist within each process. 这些子流程已接受反腐和廉政办公室评估,但并不代表每个过程都存在所有子流程。

Mitigating Measures: Non-Publication of Contract Award

缓解措施: 担保与保证缺陷

The executing agency should publish the contract award notice immediately after receiving ADB's no objection.

执行机构应在收到亚行的不反对意见函后,立即发布合同授予通知。

The no-objection letter should highlight the requirement to immediately publish the award notice. 不反对意见函应强调立即发布合同授予通知的要求。

Mitigating Measures: Guarantee and Warranty Deficiencies

缓解措施: 担保与保证缺陷

The executing/implementing agencies should obtain adequate advance payment guarantee from contractors. In cases of delay in completion of services, the contractor should be requested to accordingly extend the validity period or increase the amount of the bank guarantee.

执行机构/实施机构应获取承包商充足的预付款保证金。如服务延迟交付,应要求承包商相应延长有效期或提高银行保函金额。

The executing/implementing agencies should include warranty provision for project assets in contracts. This provision should be enforced on the suppliers and contractors, holding them accountable for any asset defects.

执行机构/实施机构应在合同中列入项目资产担保条款。这一规定应适用于供应商和承包商,要求其对任何资产缺陷负责。

Mitigating Measures: Substandard materials and defective works 缓解措施:不合格材料和不合格工程

Erring contractors, consultants, and suppliers should be held accountable to ensure that they fulfill their contractual obligations. This entails enforcing relevant penalty clauses and reporting poor performance to ADB. 出错的承包商、咨询顾问和供应商应承担相关责任,以确保其切实履行合同义务。这需要执行相关的处罚条款,以及向亚行报告合同义务履行不力的情况。

For decentralized, complex, or high-risk projects, third party monitoring firms should be engaged to augment the monitoring activities performed by executing/implementing agencies, ADB regional departments, and supervision consultants.

对于分散化、复杂或高风险的项目,应聘请第三方监测公司,以加强执行机构/实施机构、亚行区域局和监督顾问进行的监测活动。

Executing/implementing agencies should closely monitor the supervision consultants. This entails rigorous review of the consultants' progress reports and, as necessary, verification of the progress through field visits. 执行机构/实施机构应对监督顾问实施密切监测。这需要严格审查咨询顾问的进度报告,并在必要时通过实地考察来核验进展情况。

Mitigating Measures: Ineligible Expenditures

缓解措施:不合格费用

Ensure that prior to endorsing claims for payment

- (i) payment approval procedures are followed,
- (ii) supporting documents are checked for accuracy and completeness, and
- (iii) details in the claims are validated against the contracts and supporting documents.

确保在批准付款申请之前

- (i) 遵循付款审批程序;
- (ii) 检查凭证的准确性和完整性; 和
- (iii) 根据合同和凭证来核验付款申请细节。

Payments should be refused or reduced in line with relevant contractual provisions for works or services that were not performed or goods that were not delivered.

对于未完成的工程或服务或未交付的货物,应根据合同有关规定拒绝付款或减少付款金额。

Mitigating Measures: Contract awarded without ADB's approval 缓解措施: 在未经亚行批准的情况下授予合同

For contracts requiring prior approval, the executing agency should only award contracts after ADB's approval of the procurement decision.

对于需要事先批准的合同,执行机构应在亚行批准采购决定后方可授予合同。

Post-facto approvals for prior review contracts are inappropriate and should only be sought for exceptional circumstances.

对事前审查合同进行事后审批是不适当的,此举仅适用于特殊情况。

Mitigating Measures: Unauthorized substitution of key post contract award

缓解措施: 合同授予后, 擅自替换核心专家

After contract award, the executing agency should approve any substitutions of key experts before these experts are deployed.

合同授予后,如需替换核心专家,执行机构应在实际部署这些专家之前对其进行审批。

The approval should be

审批应:

- (i) based on whether the substitute expert has the qualifications required (at least equal to the expert to be replaced) for the position and 基于替代专家是否具备该岗位所需的资格(至少须达到原专家的水平),和
- (ii) properly documented.

适当文件化。

Mitigating Measures: Books and records

缓解措施: 账簿和记录

Project accounts should be maintained separately from other projects and activities of executing/implementing agencies.

项目账户应与执行机构/实施机构其他项目和活动的账户分开维护。

Periodic account reconciliations between

定期对账:

- (i) project accounts and ADB financial records, and 项目账户与亚行财务记录之间,和
- (ii) project accounts and bank records should be performed monthly or quarterly, as necessary and practicable, and any discrepancies should be immediately addressed.

项目账户与银行记录之间——如有必要和具有可行性,应按月或按季度进行;如任何不符之处,应立即处理。

Implement records management procedures to facilitate records storage and retrieval, improve accountability, and prevent misplacement.

实施记录管理程序,以方便记录的存储和检索,提高问责制,防止记录出现错位。



Mitigating Measures: Books and records

缓解措施: 账簿和记录

The executing agency should 执行机构应

- develop a manual on maintaining adequate and reliable accounting systems and procedures, 制订一份关于维护适当和可靠会计制度和程序的手册;
- train all the project management agencies/units/offices on applying this manual, and 对所有项目管理机构/单位/办公室进行手册使用方面的培训;和
- monitor compliance with the manual. The manual should at least include guidelines on maintaining financial records, performing account reconciliations, segregation of duties, and flow of project information.
 - 监督是否遵循该手册的规定。该手册应至少包括关于保留财务记录、实施帐户对账、职责划分和项目信息流动方面的指南。
- The executing agency is encouraged to implement a computerized accounting system, where the critical functions can be automated and data can be generated in real time. 鼓励执行机构启用一个可使关键功能自动化和实时生成数据的计算机会计系统。

Sanctions 处罚 中恒热电



Executing agencies (EAs) are responsible for sanction screening 执行机构(EA)负责筛查制裁情况

Procurement of Goods and Works – Stages

货物和工程采购——阶段

Prequalification 资格预审 Technical BER 技术建议书评标 报告 Financial BER 财务建议书评标 报告

Contract Award 合同授予 Withdrawal Applications 提款申请书 Contract Variations/ Modifications 合同变更/修订

Procurement of Consulting Services

咨询服务采购

Shortlisting 最终候选人名单 Technical Proposals 技术建议书

Financial Proposals 财务建议书

Contract Award 合同授予 Withdrawal Applications 提款申请书

Contract Variations/ Modifications 合同变更/修订

EA and IA Access to ADB's Complete Sanctions List

执行机构和实施机构访问亚行"完整制裁清单"的权限

Sanctions List

PUBLISHED LIST 发布清单

Accessible to the public 向公众开放

The following page lists the entities sanctioned by the Asian Development Bank (ADB) and also those cross-debarred by AI other Multilateral Development Banks (MDBs). These entities are not eligible to participate in ADB-financed, -administrated, supported activities for violating the specified Anticorruption Policy.

COMPLETE LIST 完成清单

ablished List (No Login Required)

What you will see in the list:

- Sanctions violation while ineligible
- Second and subsequent violations
- Debarred entities who are uncontactable
- Cross debarred entities
- Subset of the complete list

VIEW PUBLISHED LIST

Complete List (For authorized users on)

What you will see in the list:

- Published List
- First violations

This is a secure application operated by ADB for its official business. Only those given access to the application can access the list.

VIEW COMPLETE LIST

Password-protected, accessible to:

- ADB Staff
- BoD
- Parties with a "need to know": international organizations, bilateral and government partners
- EAs and IAs

密码保护,开放对象:

- 亚行员工
- 董事会
- "需要知情"的各方,如国际组织、 双边合作伙伴和政府合作伙伴
- 执行机构和实施机构

thies/related/79926/adb-sanctions-list-faq.pdf



Requesting Access

请求访问

Sanctions List

The following page lists the entities sanctioned by the Asian Development Bank (ADB) and also those cross-debarred by ADB from other Multilateral Development Banks (MDBs). These entities are not eligible to participate in ADB-financed, -administered, or - supported activities for violating the specified Anticorruption Policy.

Published List (No Login Required)

What you will see in the list:

- Sanctions violation while ineligible
- Second and subsequent violations
- Debarred entities who are uncontactable
- Cross debarred entities
- Subset of the complete list

VIEW PUBLISHED LIST

Complete List (For authorized users only*)

What you will see in the list:

- Published List
- First violations

This is a secure application operated by ADB for its official business. Only those given access to the application can access the list.

Are you a registered user?

LOGIN

Are you a qualified (non-ADB staff) user who needs access to the complete sanctions list?

SIGN-UP

Qualified users:

- Officially involved in an ADB-financed, -administered or -supported activity (e.g. Project Director, Deputy Project Director)
- Favorably endorsed by ADB Project Officer

If you have problems submitting the online application, please download the Application Form, complete it and email to integrity@adb.org

http://sanctions.adb.org

Sign up here 点击此处注册

Manual form available 可下载手册



Requesting **Access** 请求访问

	First Name	Middle Name	Last Name	
User Name / Password *				
Designation *	User Name	Password	Confirm Password	
(i.e. Deputy Secretary / Proj Officer)				
Organization / Agency * (i.e. name of Organization, Ministry, Employer, etc) Address *				
Country *				
Telephone Number *				
Fax Number				
Email Address *				
In connection with this applic I am involved in an ADB-finar Designation * (i.e. Project Director etc) Project(s) *			my capacity as:	Make you fill in the name of an ADB
ADB Loan number(s) *				project officer and email address who
Project is being executed/imp	plemented by:			
Organization / Agency *	_			can verify your
ADB Project Officer's contact	information:			involvement in the
Project Officer *				
Officer's ADB Email *	@adb.org			project
Information on why access is required		J		确保您填写的亚行项目
				官员的姓名和电子邮件
				地址可用于验证您是否
If granted access, I shall use the inf I shall protect the confidentiality of		•		

Apply for access to Asian Development Bank full sanctions list:

Your Name *

* - required fields

The information will be granted without prejudice to the privileges and immunities conferred on ADB and its officers and



参与过该项目

Requesting Access

请求访问

您的注册信息已提交成功。审批通过后,您将收到一封邮件。谢谢。

Your registration has been succesfully submitted. You will receive an email after the approval process. Thank You.

Back to Home Page

回到主页



Managing the Access 管理访问

EAs and IAs should... 执行机构和实施机构应......

- ☐ Designate the appropriate person(s) from the organization/agency requiring access on a 'need-to-know' basis
 - 指定组织/机构中因"需要知情"而要求获得访问权限的合适人员
- Not share user accounts or passwords each user must apply for a unique user ID. 不得共享用户账户或密码——每个用户必须申请唯一的用户ID
- □ Submit accurate, detailed information that allows the user ID to be identifiable to a single user 提交可以识别用户ID的准确、详细信息
- ☐ Inform ADB (integrity@adb.org) or ADB project officer if the user profile details have changed since the initial request or require deactivation (access no longer required or user no longer connected with the EA)
 - 关于用户详细信息在初始请求后是否发生变化或需要禁用(不再需要访问权限,或用户不再与执行机构关联),需告知亚行(integrity@adb.org)或亚行项目官员

Searches

搜索

Search: viet nam

GO

TIP: Use the * for bottor coarch recults. Type *example* to list all entities containing the text 'example' anywhere in the line.

33 documents for query "viet nam"

Page: 1 | 2

Name	Address	Sanction Type	Other Name/Logo	Effect Date Lapse Date	Grounds
Viet Nam Industrial Commercial Investment and Development Joint Stock Company (Short name: Viet Nam Indetra Co., JSC)	No. 10, Cluster 17, Mai Dich Ward, Cau Giay District, Hanoi, VIET NAM 41 Nguyen Trung Ngan, Vinh City, Nghe An, VIET NAM	Debarred	Công ty cổ phần đầu tý thýông mại và phát triển công nghiệp Việt Nam	16/Sep/2021 16/Mar/2025	Violated ADB's Integrity Principles and Guidelines 2A (ii).
Hoang Mai Construction Import and Export Joint Stock Company (Trade Register No.: 0103774823)	Xom Bo, Commune Thanh Liet, District Thanh Tri, Hanoi VIET NAM Room 3016, Building B, Vinaconex Building Nguyen Xien (Phòng 3016 Tòa B Vinaconex 2 Nguyễn Xiến) Dai Kim Ward, Hoang Mai District (Phýờng Đại Kim, Quận Hoàng Mai) Hanoi 100000 (Hà Nội) VIET NAM No. 14, TT6B Urban West Nam Linh Dam, Hoang Mai (Số 14, TT6B Khu đô thị Tây Nam Linh Đàm, Hoàng Mai) Hanoi 100000 (Hà Nội) VIET NAM	Debarred	Công ty CP xuất nhập khẩu xây dựng Hoàng Mai	17/Feb/2021 17/Aug/2026	Violated ADB's Integrity Principles and Guidelines 2.A(ii)

Search Functionality

搜索功能

Complete Sanctions List

Search: A2Z GO TIP: Use the * for better search results. Type *example* to list all entities containing the text 'example' anywhere in the line. **FIRMS INDIVIDUALS ALL ENTRIES** Category: **Cross Debarment Effectivity** Name **Latest Update Cross-debarred Entities** Nationality Sanction Type View by: Filter by:



Search names using the search bar 在搜索栏输入名称



Avoid including common terms when searching 搜索时避免使用常用术语



Remove leading terms such as "M/S, or M/S." from company names 删除公司名称中的开头部分,如 "M/S, 或M/S."

"Ltd", "Company", "LLC"

如"有限公司"、"公司"、"有限责任公司"等

Example: Use "A2Z" when searching

for A2Z Waste Management

示例:在搜索"A2Z废弃物管理"时,

使用 "A2Z"

Searches

搜索

14 documents for query "A2Z"

Search: A2Z

TIP: Use the * for better search results. Type *example* to list all entities containing text 'example' anywhere in the

Name	Address	Sanction Type	Other Name/Logo	Nationality	Effect Date Lapse Date	Grounds
A2Z WASTE MANAGEMENT (LUDHIANA) LTD.	PLOT NO. B. 38, INSTITUTIONAL AREA, SECTOR -32, GURUGRAM- 122001, HARYANA, INDIA	Debarred		India	23/Jun/2021 11/Nov/2024	Cross- Debarment: WB
A2Z WASTE MANAGEMENT (ALIGARH) LTD.	PLOT NO. B. 38, INSTITUTIONAL AREA, SECTOR -32, GURUGRAM- 122001, HARYANA, INDIA	Debarred		India	23/Jun/2021 11/Nov/2024	Cross- Debarment: WB
A2Z INFRASERVICES LTD.	O-116, 1ST FLOOR, DLF SHOPPING MALL, ARJUN MARG, DLF PH-I GURUGRAM - 122002, HARYANA, INDIA	Debarred		India	23/Jun/2021 11/Nov/2024	Cross- Debarment: WB
A2Z POWERCOM LTD.	O-116, 1ST FLOOR, DLF SHOPPING MALL, ARJUN MARG, DLF PH-I GURUGRAM - 122002, HARYANA, INDIA	Debarred		India	23/Jun/2021 11/Nov/2024	Cross- Debarment: WB
RISHIKESH WASTE MANAGEMENT LTD. (FORMERLY KNOWN AS A2Z POWERTECH LTD.)	O-116, 1ST FLOOR, DLF SHOPPING MALL, ARJUN MARG, DLF PH-I GURUGRAM - 122002, HARYANA, INDIA	Debarred		India	23/Jun/2021 11/Nov/2024	Cross- Debarment: WB
A2Z INFRASERVICES LANKA PVT. LTD.	BOC MERCHANT TOWER, LEVEL 8, NO: 28 ST. MICHAEL'S ROAD, COLOMBO 3, SRILANKA	Debarred		Sri Lanka	23/Jun/2021 11/Nov/2024	Cross- Debarment: WR
A2Z INFRA ENGINEERING LIMITED(Previously known as A2Z Maintenance & Engineering Services Limited)	PLOT NO. B-38, SECTOR 32, INSTITUTIONAL AREA, GURGAON – 122001, HARYANA INDIA	Debarred		India	8/Dec/2020 11/Nov/2024	Cross- Debarment: WB
A2Z WASTE MANAGEMENT (NAINITAL) PRIVATE LIMITED	PLOT NO. B-38 INSTITUTIONAL AREA, SECTOR 32, GURGAON, 122001, HARYANA, INDIA	Debarred		India	23/Jun/2021 11/Nov/2024	Cross- Debarment: WB

Searches

搜索

AARON INGENIEROS CONSTRUCTORES & CONSULTORES E.I.R.L.*	JR. CHAUPIMAYO D-5 SANTA ANA – LA CONVENCIÓN, CUSCO Peru	Debarred	Non ADB Member Country ②		Cross- Debarment: WB
Abdellatif, Cherkaoui	N°3012 Av des Far Lachalé Dcheira Inezgane Morocco	Debarred	Non ADB Member Country ②	21/Sep/2020 19/May/2023	Cross- Debarment: EBRD

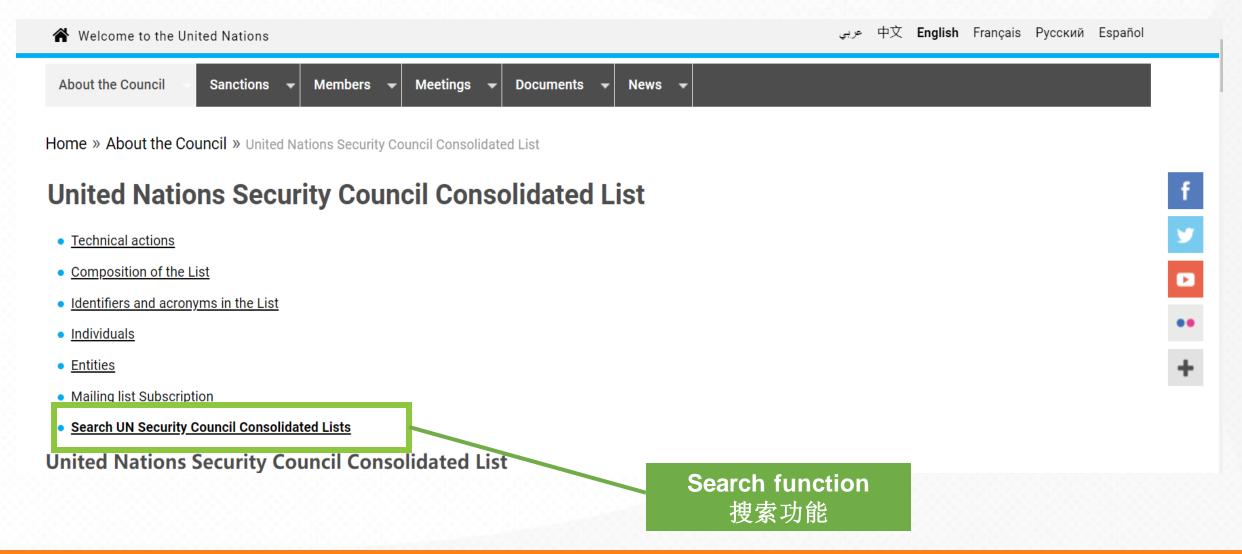
United Nations Security Council Sanctions: Obligations

联合国安理会制裁: 义务



United Nations Security Council Sanctions

联合国安理会制裁



UNSC Sanctions: Search

联合国安理会制裁:搜索

United Nations Security Council Consolidated List Search						
Language	العربية (〇中文	English	O Français	О Русский	○ Español
	Select the lar	nguage of the rep	port			
FULL TEXT SEARCH						
Enter keywords	Α					
	You can enter more than one word to search separated by space. For example: case 1: if you enter John Doe the results shown will consist of individuals or entities that contain the word "John" or "Doe". If you are searching for an exact phrase include it between quotes "your phrase here". The field is not mandatory when Advanced search options are used. For best results search words entered must be at least 3 characters long.					
		Search			reset	
For Advanced search options click here						

UNSC Sanctions: Advanced Search

联合国安理会制裁: 高级搜索

FULL TEXT SEARCH	
Enter keywords	A
	You can enter more than one word to search separated by space. For example: case 1: if you enter John Doe the results shown will consist of individuals or entities that contain the word "John" or "Doe". If you are searching for an exact phrase include it between quotes "your phrase here". The field is not mandatory when Advanced search options are used. For best results search words entered must be at least 3 characters long.
Exclude	В
	You can enter more than one word to exclude separated by space. For example: case 2: if the keywords entered in A are John Doe and you want to exclude all individuals or entities that contain "1987" from the search results of A then you would enter 1987 in B. Therefore the search results will show all the entries with John Doe that do not have 1987 (John Doe born in 1987 will be excluded). Case 3: if you want to exclude individuals or entities that contain the word Taliban then you would leave A blank and enter Taliban in B (All entries that have the word Taliban will be excluded). If you want to exclude a phrase put it between quotes "your phrase". The field is not mandatory.
Date of Birth	FROM: Year V Month V Day V TO: Year V Month V Day V
	Another case would be <i>FROM</i> 1987 <i>TO</i> 1990-01-01 or <i>FROM</i> 1987-01-01 <i>TO</i> 1990. If <i>TO</i> is completely blank then only <i>FROM</i> date will be selected. <i>The field is not mandatory.</i>

Red Flag Indicators

"危险信号"指标



Translation of certificates or supporting documents: bidding documents not clear from whom attestation should be obtained from

证明或凭证的翻译: 招标文件不明确应向谁获取认证



Local government minister is strongly encouraging the project implementation unit to hire the spouse of the minister as one of the PIU consultants

当地政府的相关部长强烈鼓励项目实施单位聘请其配偶担任项目实施单位的一名咨询顾问



In serval bids over procurement of several packages, 70%-80% of unit price items in the bill of qualities were identical i.e. exactly the same unit price

在多个合同包的多份采购投标文件中,工程量清单中有70%-80%的单价相同,即单价完全一样

Red Flag Indicators

"危险信号"指标



Three firms have discussed to bid for an executing agency-administrated procurement opportunity. They have fairly amongst themselves decided to adjust the prices to ensure that one of the firms is awarded the project and the remaining two agree will cooperate for future biddings.

三家公司已经过讨论,对执行机构管理的采购项目进行投标。这三家公司已公平地决定调整价格,以确保其中一家公司获得项目合同,另外两家同意在未来的投标中予以配合。



A bidding submission included bidder's experience which looks unreasonably large in comparison to the nature of works and contracted period. It appears that one digit was added to the contracted price in the supporting documents. Notes were attached in a local language. A photocopy was submitted as part of the bid document. In the photocopy, the numbering was not aligned in a straight line.

与工程性质和合同期限相比,投标文件中显示的投标人经验明显不合理,数值过大。似乎是凭证中的合同价格增加了一位数字。附注使用的是当地语言。复印件作为投标文件的一部分提交。在复印件中,编号没有排成一条直线。



Submitted bid included a set of photocopied bidder's invoices as supporting their experience. No official receipt, certification of works completion or other documents issued by the client were submitted.

所提交的投标文件包括一套投标人发票复印件,作为其相关经验的证明。未提交客户开具的正式收据、完工证明或其他凭证。

Red Flag – Other Examples

危险信号——其他示例



- Insufficient on-site monitoring and supervision of contracts 对合同的现场监控和监督不足
- Poor quality of works, services and goods 工程、服务和货物的质量糟糕
- ► Weak enforcement of professional standards 专业标准执行不力
- Lack of required equipment and qualified personnel 缺乏所需的设备和合格人员
- ► Contracts exceed original contract amount 合同金额超过原合同金额
- Deviation from construction design or Terms of Reference 偏离施工设计或工作大纲
- Submission of irregular interim and final performance certificates 提交不定期中期和最终履约证明
- Submission of irregular contract variations (exaggerated contract amount, scope of contract) 提交不定期合同变更(提高合同金额、扩大合同范围)
- Manipulation of Bill of Quantities 篡改工程量清单





投标文件/建议书: 危险信号

Bidding Forms 投标文件格式







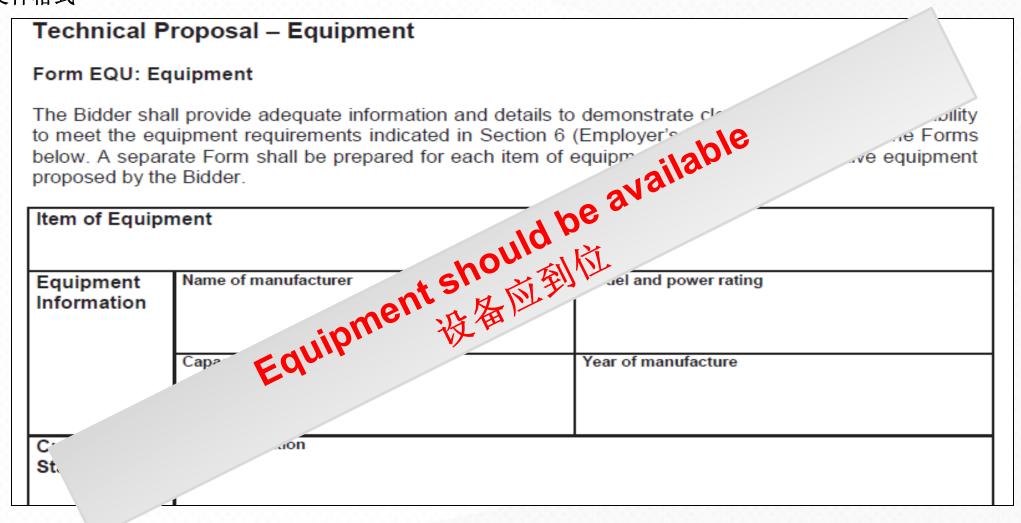
投标文件/建议书: 危险信号

Bidding Forms 投标文件格式



投标文件/建议书: 危险信号

Bidding Forms 投标文件格式



投标文件/建议书: 危险信号

Bidding Forms

投标文件格式



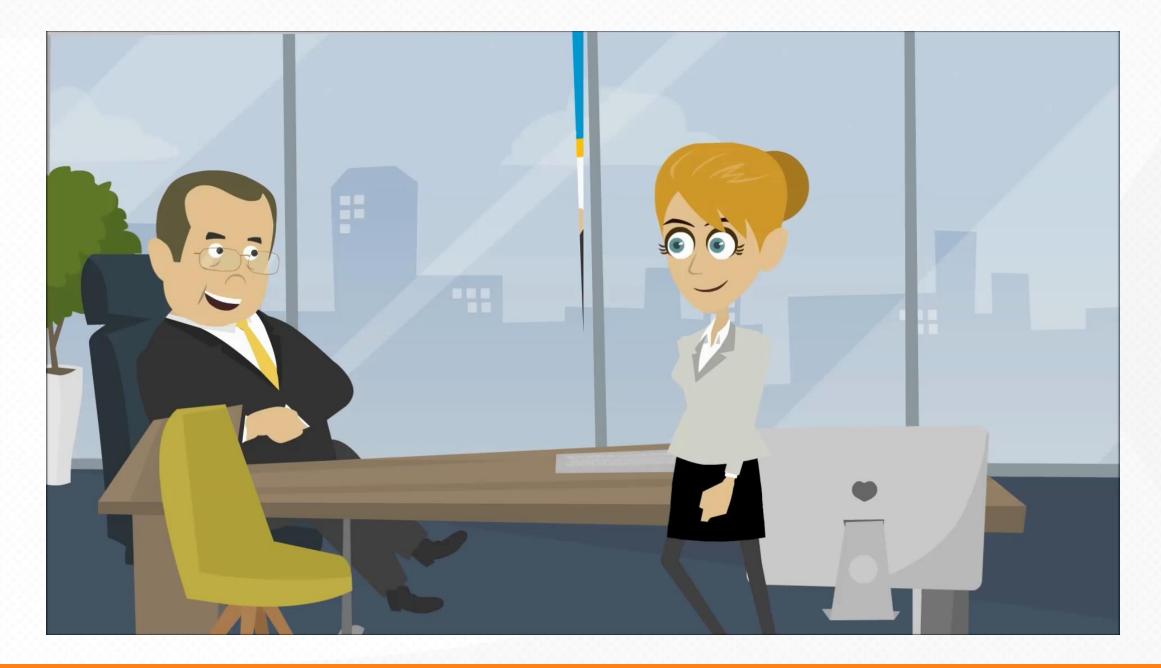


投标文件/建议书: 危险信号

Bidding Forms

投标文件格式





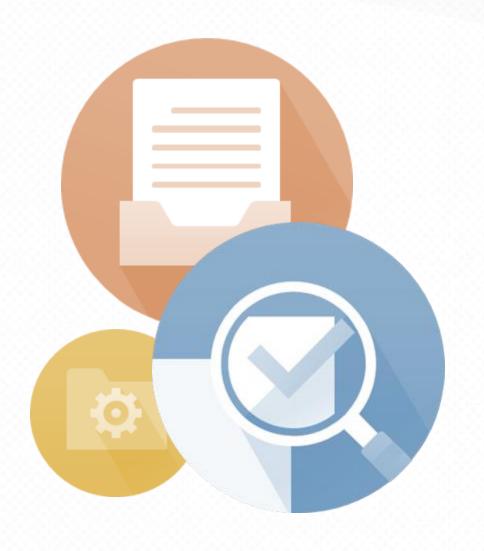
81



Five Minute Break



Prohibitive Practices and Observations 禁止行为和补救措施



Integrity Violations 违背诚信的行为

Complaints Assessment 投诉评价

Investigation Process 调查过程

Remedial Actions 纠正措施

Cross Debarment 交叉取消资格

Appeal Process 上诉过程

ADB's Integrity Violations 违背亚行诚信的行为













滥用



妨碍行为



报复行为







未能遵守最高道德 标准



Defined in Section 2.A. of ADB's 'Integrity Principles and Guidelines'

见亚行《诚信原则和指南》第2.A条定义



https://www.adb.org/documents/in tegrity-principles-and-guidelines



Case study 1: Rehabilitation of the Road Network Project

案例研究1: 道路网修复项目

Background: Bidder A's proposal was lower than engineer's estimate and other bidders.

Bidder A's proposal was not disqualified despite not meeting the qualification requirements.

背景:投标人A的建议书低于工程师的估计和其他投标人。 尽管投标人A的建议书不符合资格要求,但没有取消 其资格。



USD54 million contract was awarded to Bidder A whose books of accounts and bank statements revealed multiple payments totaling USD2 million, which were transferred to intermediaries known to be affiliated with the family of the Minister of Transport.

投标人A获得价值5,400万美元的合同,但其账目的会计账簿和银行对账单显示向已知与交通部系统关联的中介机构转移多笔付款,总额达到200万美元。

Impact: poor quality of works and supervision, contract amount increased, delay in contract completion and economic loss.

影响:降低工程和监理质量、增加合同金额、延迟合同完工时间、造成经济损失。



What are the integrity violations? 存在哪些违背诚信的行为?

Case study 2: Urban Hospital Extension Project

案例研究2: 城市医院扩建项目

Background: During bid proposals evaluation, the EA was unbale to confirm a bidder's past work experience to meet the bid requirements.

背景: 在评标过程中, 执行机构无法确认投标人以往的工作经验是否符合投标要求。



When examining the authenticity of a bidder's technical proposal, it was found that bidder's claimed experience (scope of work and amount of contract) and submitted manufacture authorizations from suppliers were fake.

在审查投标人技术建议书的准确性时,发现投标人经验(工作范围和合同金额)造假并伪造供应商生产授权书。

Impact: unexperienced bidder, poor quality of works, contract amount increased, delay in contract completion and economic loss

影响: 投标人没有经验,降低工程质量、增加合同金额、延迟合同完工时间、造成经济损失。



Case study 3: Rehabilitation of the existing dam

案例研究3: 现有水坝修复工程

Background: An investigative journalist established that the winning bidder has an affiliation with the member of the tender committee.

背景:一位调查记者确定,中标人与评标委员会成员存在关联关系。



The CEO of the winning bidder for construction works contract has a close familial relations with the member of the tender committee for the contract. This relations was not disclosed prior to the bid evaluation.

建筑工程合同中标人的首席执行官与该合同的评标委员会成员之间存在密切的家庭关系。评标前未披露这层关系。

Impact: reputational risk, poor performance of contractual obligations, economic loss

影响:造成声誉风险、合同义务履行不力、经济损失



What are the integrity violations? 存在哪些违背诚信的行为?

Case study 4: Great Ocean Bridge Project

案例研究4: 大洋桥梁工程

Background: Multilateral Bank A received an allegation that supervision consultants turned a blind eye on the quality of contractor's works and goods.

背景: 多边银行A收到一项指控, 称监督咨询顾问忽视承包商的工程和货物质量。



Most payments have been made without certifications from supervision consultants, particularly civil construction contracts. Still, full payments were made to the contractors. No disputes were raised by project officials against the product substitution.

大多数付款缺少监督咨询顾问的证明,特别是民用建筑合同。不过,仍向承包商支付了全额款项。项目官员没有对产品更替提出异议。

Impact: poor quality of works and goods, weak project supervision, additional resources to rectify the defects, economic loss

影响:降低工程和货物质量、减弱项目监督力度、投入额外资源以纠正缺陷、造成经济损失



What are the integrity violations? 存在哪些违背诚信的行为?

Case study 5: Rural Schools Construction Project

案例研究5: 农村学校建设项目

Background: Beneficiaries of the project complained that School 5 is poor quality and unsafe. 背景:项目受益人投诉称五号学校质量较差且不安全。



The investigator was unable to review contract-related documentation as the contractor has not provided the documentation and prevented the investigator to visit the contractor's office and School 5.

由于承包商未能提供与合同有关的文件,并阻挠调查员视察承包商的办公室和5号公路,故而调查员无法审查这些文件。

Impact: poor quality and unsafe road, weak project supervision, additional resources to rectify the defects, economic loss

影响:降低道路质量和安全性、减弱项目监督力度、投入额外资源以纠正缺陷、造成经济损失



Summary of PRC Entities Sanctioned by ADB per Entity Type (2017–2022)

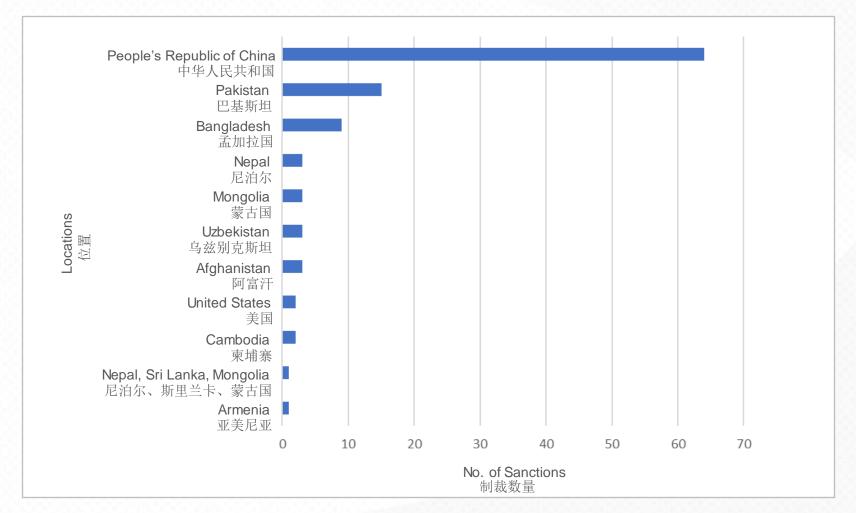
接受亚行制裁的中国实体类型总结(2017—2022年)

Summary 总结		Firm 公司			
Year 年份	Individual 个人	Individual- Representative 个人-代表	Parent 母公司	Subsidiary 子公司	Total Sanctions 制裁总计
2017年	0	3	4	0	7
2018年	0	6	7	31	44
2019年	0	21	15	0	36
2020年	1	10	7	27	45
2021年	0	11	12	122	145
2022年	0	3	6	27	36
Total 总计	1	54	51	207	313



Location of ADB Projects with Violations by Sanctioned PRC Entities Excluding Subsidiaries (2017–2022)

因违规而被制裁的中国实体(不包括子公司)的亚行项目位置(2017—2022年)





Integrity Violations Committed by Sanctioned PRC Entities Excluding Subsidiaries (ADB data 2017–2022)

因违背诚信的行为而被制裁的中国实体(不包括子公司) (亚行2017—2022年数据)

Violation (Primary)	PRC Sanctions
违规(初级)	中国制裁
Fraud	
欺诈	79
Fraud, Collusion	
欺诈、共谋	11
Obstruction	
妨碍行为	4
Fraud, Obstruction	
欺诈、妨碍行为	4
Corruption	
	4
Fraud, Sanction Violation	
<u>欺诈、违反制裁行为</u>	1
Sanction Violation	
违反制裁行为	1
Collusion, Corruption	
共谋、腐败	1
Fraud, Collusion, Sanction Violation	
<u>欺诈、共谋、违反制裁行为</u>	1
Total	
总计	106

95% of all integrity violations by PRC entities involve **fraud** 中国实体所有违背诚信的行为中,**欺诈**占比达95%

Fraudulent Practice 欺诈行为

Fraudulent practice, which is any act or omission, including a misrepresentation, that knowingly or recklessly misleads, or attempts to mislead, a party to obtain a financial or other benefit or to avoid an obligation.

欺诈行为是指故意或不计后果地误导或试图误导一方以获取经济或其他利益或避免义务的任何行为或不作为,包括虚假陈述。

Omission or misrepresentation concerning:

漏报或谎报:

- Prior work experience;
 以往的工作经验;
- Financial statements (and turnover); 财务报表(以及营业额);
- Litigation history;诉讼记录;
- Technical specifications of proposed equipment. 推荐设备的技术规范。

Misrepresenting Work Experience 谎报工作经验

Background: An ADB Project comprising a loan of USD 280 million for power transmission enhancement (to improve coverage, reliability, transparency, and quality of the power transmission service in Pakistan) 背景: 亚行项目包含一笔2.8亿美元的贷款,用于强化电力传输(提升巴基斯坦电力传输服务的覆盖面、可靠性、透明度和质量)。



OAI's investigation substantiated that a PRC firm, through the actions of its authorized representative, engaged in fraudulent practice by submitting false work experience documents in a bid for an ADB-financed contract.

反腐和廉政办公室经调查证实,某中国公司通过其授权代表的行为活动,在竞标亚行资助合同时提交虚假的工作经验文件,从事欺诈行为。

The firm accepted OAI's findings of fraud through misrepresentation and agreed to OAI's proposed sanction of the firm, and its subsidiaries and branches, for 5 years with an option for early reinstatement after completion of a minimum period of 4 years provided that the firm can demonstrate compliance with the conditions set by OAI. The firm accepted that OAI will publish the debarment. 反腐和廉政办公室对虚假陈述进行欺诈调查的结果,以及对该公司及其子公司和分支机构提出的五年制裁建议,该公司表示接受并同意,并且只要公司证明已遵守反腐和廉政办公室规定的条件,就可以在完成至少四年制裁后提前恢复资格。该公司接受反腐和廉政办公室将公布取消其资格的信息。

Significant Contributing Factor: Failure of the PRC firm to supervise and check the work of its representative. 重要作用因素:中国公司未能监督和检查其代表的工作。



Misrepresenting Financial Statements 谎报财务报表

Background: An ADB Project comprising a loan of USD 100 million for integrated Ecosystem and Water Resources Management in the Baiyangdian Basin 背景: 亚行项目包含一笔1亿美元的贷款,用于白洋淀流域综合生态系统与水资源管理。



OAI received information that a PRC firm was administratively sanctioned by a government agency for submitting fraudulent financial reports in its bid for an ADB-financed contract. OAI's investigation established that the firm falsified supporting documents in its bid and misrepresented that it had the financial capacity to complete the project.

反腐和廉政办公室收到的信息显示,某中国公司在竞标亚行资助合同时提交虚假的财务报告,因此被政府机构实施行政处罚。反腐和廉政办公室经调查确定,该公司在其投标过程中伪造证明文件,并谎报其具备完成项目的财务能力。

The firm accepted OAI's proposed debarment of 3 years with conditional reinstatement. The firm may qualify for early reinstatement subject to compliance with the conditions set.

反腐和廉政办公室对该公司提出取消资格三年并实施有条件的恢复措施。该公司如果遵守规定条件,那么有可能提前恢复资格。

Significant Contributing Factor: Failure of the PRC firm to appropriately check and supervise the work of relatively junior employees.

重要作用因素:中国公司未能适当检查和监督层级相对较低的员工的工作。



Misrepresenting Litigation History 谎报诉讼记录

Background: An ADB Project comprising a loan of USD 150 million for the urban road network in Xinjiang Tacheng Border Cities and Counties.

背景:亚行项目包含一笔1.5亿美元的贷款,用于新疆塔城地区边境县市的城市道路网络。



OAI's investigation substantiated that a PRC firm engaged in fraudulent practice by stating in a tender that it had no pending litigation in its bid for a contract under the above project. Public records disclosed that the PRC firm had a significant amount of pending litigation at the time of its bid submission.

反腐和廉政办公室经调查证实,某中国公司在投标过程中称其在上述项目的合同竞标中没有未决诉讼,因而从事欺诈行为。公开记录显示,该中国公司在提交标书时仍有大量未决诉讼。

The firm accepted OAI's findings of fraud through misrepresentation and agreed to OAI's proposed sanction of a reprimand. The firm's bid for the contract was disqualified.

反腐和廉政办公室对虚假陈述进行欺诈调查的结果,以及对该公司提出的训诫,公司表示接受并同意。取消该公司竞标合同资格。

Significant Contributing Factor: The firm explained that the individuals involved in the bid submission were "negligent" in preparing the bid documents. Furthermore, these individuals "did not fully understand" the pending litigation part of the bidding document and "did not seriously" inquire about the firm's pending litigation leading to the omission of the information in the bid submission.

重要作用因素: 该公司解释道,参与投标的个人在筹备投标文件时存在"过失"。此外,这些个人"没有完全理解"招标文件中的未决诉讼部分,"没有认真"询问该公司的未决诉讼,导致投标文件中遗漏了相关信息。

Misrepresenting Technical Specifications

谎报技术规范

Background: An ADB Project comprising a grant of USD 81.5 million for upgrading energy facilities and strengthening the institutional capacity of power utility, Da Afghanistan Breshna Sherkat

背景:亚行项目包含一笔8,150万美元的赠款,用于Da Afghanistan Breshna Sherkat公司更新能源设施并加强电力公司的机构能力建设。



OAI's investigation substantiated that a PRC firm engaged in fraudulent practice by falsifying type test reports that were submitted by a bidder during the procurement for a contract.

反腐和廉政办公室经调查证实,某中国公司在竞标采购合同时伪造投标人类型测试报告,从事欺诈行为。

The firm and its former employee accepted OAI's findings of fraud through misrepresentation and accepted the proposed sanction of 4 years, with an option for early reinstatement after completion of a minimum period of 3 years, provided that the firm demonstrates compliance with the conditions set by OAI.

反腐和廉政办公室对虚假陈述进行欺诈调查的结果,以及对该公司及其前任员工提出的四年制裁建议,该公司表示接受并同意,并且只要公司证明已遵守反腐和廉政办公室规定的条件,就可以在完成至少三年制裁后提前恢复资格。

Significant Contributing Factor: Failure of the PRC firm to supervise and check the work of its employee who prepared the bid.

重要作用因素:中国公司未能监督和检查其筹备投标的员工的工作。



Following Another MDB Investigation

继另一次多边开发银行调查之后









ADB receives a notice from the MDB of the debarment which ADB enforces, otherwise known as a cross debarment. 亚行收到多边开发银行发出的取消资格通知并予以执行,即交叉取消资格。







腐败



共谋



胁迫



832

Firms and individuals currently debarred by ADB 目前被亚行取消资格公司和个人

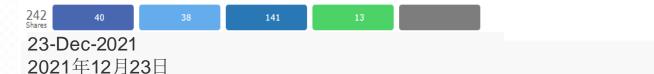


Example of a Cross Debarment

交叉取消资格的示例

African Development Bank Debars Weihai Construction Group for 35 Months for fraudulent practices

非洲开发银行因威海建设集团存在欺诈行为而取消其资格,为期35个月



The African Development Bank Group, on 23 December 2021, announces the conclusion of a negotiated settlement agreement with Weihai Construction Group, thus putting an end to sanctions proceedings for fraudulent practices raised against that company. Pursuant to the negotiated settlement agreement, Weihai Construction Group, registered in China, will be debarred for a period of 35 months, effective 19 November 2021.

2021年12月23日,非洲开发银行集团宣布与威海建设集团达成谈判和解协议书,从而完成对该公司实施的欺诈制裁程序。威海建设集团在中国注册成立;根据谈判和解协议书,取消该公司的资格,为期35个月,自2021年11月19日起生效。

An investigation conducted by the Office of Integrity and Anti-Corruption of the Bank established that Weihai Construction Group engaged in fraudulent practices in the context of the Kenol-Sagana-Marua Highway Improvement Project, the Nairobi Rivers Basin Rehabilitation and Restoration Program: Sewerage Improvement Project, Phase II, and the Towns Sustainable Water Supply and Sanitation Program, all in Kenya.

银行廉政和反腐败办公室经调查确定,威海建设集团在肯尼亚凯诺尔(Kenol)—萨加纳(Sagana)—马鲁阿(Marua)公路改善项目、内罗毕河流流域恢复和重建项目:污水处理改进项目第二阶段,以及城镇可持续供水和卫生计划中从事欺诈行为。



AFRICAN DEVELOPMENT BANK GROUP

Entity and Address: Weiha

Weihai Construction Group Co., Ltd.

No.13 Kunming Road, Huancui District, Weihai City, Shandon

Province, China

Nationality:

China

Corporates Information: Weihai Construction Group Co., Ltd is a limited liability

company registered under the laws of the People's Republic of China under the registration number 91371000166697768C

Sanctionable Practices:

Fraudulent Practices

Project Name:

Kenol-Sagana-Marua Highway Improvement Project.

The Nairobi Rivers Basin Rehabilitation and Restoration Program: Sewerage Improvement Project, Phase II, and the Towns

Sustainable Water Supply and Sanitation Program

Details on the

Allegations:

Weihai Construction Group Co., Ltd engaged in fraudulent

practices in a bidding process of projects financed by the AfDB

in Kenya

被制裁实体名称和地址: 威海建设集团有限公司

中国山东省威海市环翠区昆明路13号

国籍: 中国

公司信息: 威海建设集团股份有限公司是一家根据中华人民共和国法律注

册的有限责任公司,注册号: 91371000166697768C。

制裁行为: 欺诈行为

项目名称:凯诺尔(Kenol)—萨加纳(Sagana)—马鲁阿(Marua)公

路改善项目。

内罗毕河流流域恢复和重建项目: 污水处理改进项目第二阶

段,以及城镇可持续供水和卫生计划。

指控详情: 威海建设集团股份有限公司在非洲开发银行资助的肯尼亚项目

的招标过程中从事欺诈行为。

ADB Cross Debarment of PRC Firms

中国公司交叉取消资格

5 April 2022 2022年4月5日

ADB cross debars firm and controlled affiliates sanctioned by African Development Bank

对于被非洲开发银行制裁的公司及其控股附属公司,亚行实施交叉取消资格

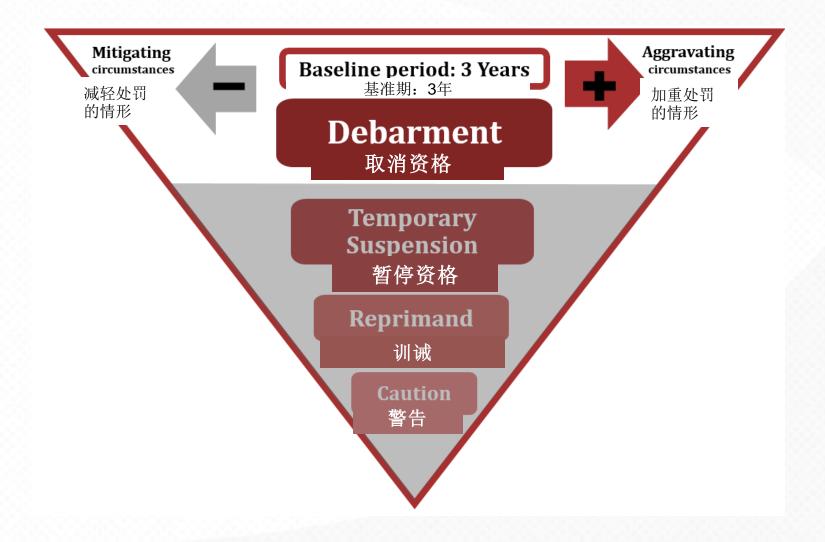
ADB cross debarred Weihai Construction Group Co. Ltd. and its controlled affiliates after they were debarred by African Development Bank for fraudulent practices. Weihai Construction Group Co. Ltd. and its controlled affiliates are not eligible to participate in ADB-related activities while cross debarred. View updated sanctions list.

威海建设集团股份有限公司及其控股附属公司因从事欺诈行为而被非洲开发银行取消资格后,亚行也对其实施交叉取消资格。威海建设集团股份有限公司及 其控股附属公司在被交叉取消资格期间,没有资格参加亚行相关项目活动。查看最新制裁清单。

	Number of PRC entities referred for cross debarment since 1 January 2019 自2019年1月1日以来,被交叉取消资格的中国实体数量
African Development Bank 非洲开发银行	67
European Bank for Reconstruction and Development 欧洲复兴开发银行	4
Inter-American Development Bank 泛美开发银行	5
World Bank Group 世界银行集团	
	153

Remedial Actions

纠正措施



Consequences of a Debarment

取消资格的结果

To publish or not to publish: 是否公布:

- ADB debarments are generally not published.
 亚行一般不公布有关取消资格的信息。
- Cross debarments are always published.
 通常公布交叉取消资格的信息。



Consequences of **Integrity Violations** in ADB-financed projects 亚行资助项目中 违背诚信 的行为结果

Sanctions of firms or individuals 对公司或个人的制裁

Suspension of the loan or grant allocations 暂停贷款或赠款分配

Termination of loan or grant allocations 终止贷款或赠款分配

Return of misused loan or grant resources back to ADB 向亚行**返还**滥用的贷款或赠款资源

Changes of administrative arrangements 更改行政安排

Request to **investigate or change** government staff 请求**调查或更换**政府工作人员

Cross debarment 交叉取消资格













Impact while under sanction

被制裁时的影响



MAY CONTINUE 可能 继续 Contract variations
合同変更

OAI APPROVAL 反腐和廉政办公室 批准 Re Instatement 恢复资格

NOT AUTOMATIC 非自动 Future tenders 未来招投标

NOT PERMITTED 禁止

Lessons from Investigations 通过调查获得的经验教训



Almost all (95%) of PRC entities that are debarred by ADB are a result of misrepresentations in bid submission.

几乎所有被亚行取消资格的中国公司(95%)都在投标书中提交了虚假陈述。

This has typically occurred because the preparation of the bid is: 这通常是由于投标书的筹备工作:

- outsourced to agents (external parties) who are not adequately supervised; or 被外包给没有受到充分监督的代理人(外部人士);或
- completed by junior employees who are under pressure to make sure the bid is completed, even if it contains wrong information; or 由初级员工完成,而他们面临着确保完成投标的压力,即使其中包含了错误信息; 或
- compiled by employees who do not appreciate the consequences of including false information.
 由不了解虚假信息后果的员工编制。

Prevention:

预防:

- Proper training of staff on how to complete bids; and 组织工作人员接受适当培训,了解如何完成投标工作;以及
- Quality review and assurance before a bid is submitted; and 在提交投标前审查并保证质量;以及
- Effective internal controls. 有效的内部控制。



Recap 总结





Office of Anticorruption and Integrity

反腐和廉政办公室





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Your feedback would help the Office of Anticorruption and Integrity in providing knowledge products and services relevant to you.

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Answers will be kept confidential and data will only be assessed in the aggregate.

答案保密,数据只用于综合评估。

Office of Anticorruption and Integrity 反腐和廉政办公室



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ADB Anticorruption and Integrity 亚行反腐和廉政



+63-2-86362152

Due to the COVID-19 pandemic, please reach out to OAI via email.

Report integrity violations through OAl's complaint form: https://www.adb.org/integrity/report-violations

由于新冠肺炎疫情扩散,请通过电子邮件与反腐和廉政办公室联系。

请通过填写反腐和廉政办公室的投诉表报告违背诚信的行为: https://www.adb.org/integrity/report-violations

